

An agreement was made that that amendment would be offered in the Labor HHS appropriation. The rule had originally included the protection of that amendment. However, as a sponsor of that amendment, I have agreed to withdraw it. I am not withdrawing it because it is not an important issue. I am not withdrawing it because of pressure by anyone in particular. The amendment is actually being withdrawn in the interest of the larger body and the passage of a bipartisan Labor HHS appropriation bill.

The amendment is extremely important, and I need to make clear that we will see the issue again. The issue is regarding something that surprises and shocks a lot of people once they hear that it actually happens in this country, and that is, that we know of at least 180 schools in the United States that hand out the morning-after pill to minors. These same schools will not even give a child an aspirin for a headache. Yet our law permits them to hand out the morning-after pill to little girls.

Mr. Speaker, as I said, it was a difficult decision to withdraw this amendment. Now my colleagues understand why. It is important for us as Members of Congress to protect our children. Protecting our children, in fact, is a large part of the things that are included in the Labor HHS appropriation bill.

We are not certain of the safety of the morning-after pill, especially its impact on very young women, those who would now receive it in at least 180 of our schools. In fact, in Great Britain a 15-year-old girl suffered a stroke after she had taken the pill at the age of 14.

The question, I think, that faces this body, and that will face this body again, is are we willing to go to the extent that we need to to protect our children? If a school cannot give a child an aspirin, why does this Congress permit a school to give a little girl a morning-after pill? That means, basically, that we are condoning, first of all, that that little girl has admitted to having been sexually active, likely at a very young age. Again, these are minors that are being handed out the morning-after pill.

Concern has been raised with me ever since I became the sponsor of this amendment in the spring by parents, by teachers, by church leaders, by people I run into in the mall; and support for this amendment has been expressed from all sectors. In fact, it has been expressed by both pro-life and pro-choice people.

That is an important point to make, Mr. Speaker, because we should not make this an abortion issue. This is an issue of little girls and giving parents and schools the ability to take care of them, to protect them, and to protect their health. Federal law currently per-

mits the use of these Federal funds to distribute the morning-after pill to schoolchildren. Numerous courts have ruled that schools using Federal funds for family planning services are forbidden to notify parents, regardless of State parental consent notification laws.

Therefore, the amendment would prevent that by doing the following: the amendment would have said that any school that distributes the morning-after pill to these children would, therefore, not be able to receive any Federal funding.

That is the only way, Mr. Speaker, that we will prevent these schools from being social activists and encouraging, in a way, these young ladies to be sexually active without any protection, and, in fact, placing these children in danger of transmitting sexually transmitted diseases and contracting sexually transmitted diseases.

Mr. Speaker, it is only sensible for us to consider this issue at another time. I have had meetings this morning with leadership and have been assured that I will be able to move this issue forward at another time as a freestanding bill through the Committee on Education and the Workforce. Hopefully, we will get the support of the members of that committee. But until we do, Mr. Speaker, I want everyone to understand that this Congress is continuing to allow the distribution of what is and can be a very dangerous drug to these young ladies when that same school cannot even give the girl an aspirin for a headache.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

DEPARTMENTS OF LABOR,  
HEALTH AND HUMAN SERVICES,  
AND EDUCATION, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2002

Mr. LATOURETTE. Pursuant to the order of the House of today and rule XVIII, the Chair declares the House in

the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 3061.

□ 1326

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the order of the House of today, the bill is considered as having been read the first time.

The gentleman from Ohio (Mr. REGULA) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I want to thank the Members of the Subcommittee and of the Full Committee for their help in getting this bill to the floor. I want to thank the gentleman from Wisconsin (Mr. OBEY) for working with us on a bipartisan basis.

This is a far-reaching bill that touches the lives of every American, and I think we have had a spirit of bipartisanship in both the subcommittee and the full committee, with the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) in their roles as chairman and ranking minority members of the full committee.

I also want to thank the staff of both committees. They have worked closely together to ensure that we have a good bill that does the greatest amount of good for the American people. And I want to say a special thanks to the associate staff of the members of our subcommittee. They have been very helpful in letting us know and letting the staff of our committee know what was important to their members, so that we have tried to incorporate in this bill things that are very positive in every way.

I have said early on that the Bible says there are two great commandments, the first is to love your Lord and the second is to love your neighbor. This committee is the "love your neighbor committee," because there is not a life in America that is not touched by what we do.

We could spend a lot of time, but we do not have a lot of time, so I do want to highlight some of the important things in this bill that are very essential, very important to the American people.

The fiscal year 2002 Labor, Health and Human Services appropriation bill

totals \$123.371 billion. And I might say here that Chairman YOUNG and Ranking Member OBEY worked closely with OMB in arriving at the number we needed to do this bill in the best possible fashion.

Also I want to say at the outset it is my understanding that the Office of Management and Budget will have a letter to us supporting what is in this bill. That is, the Administration.

□ 1330

It is the result of 2 months of subcommittee hearings in which we heard testimony from three Cabinet Secretaries, numerous agency heads, as well as 180 public witnesses. The bill provides \$14 billion for the Department of Labor, which includes a \$75 million increase for the very popular Job Corp program, \$53 million for discretionary programs at the Department of Health and Human Services, including \$393 million for bioterrorism protections.

And I might mention at this point that we added \$100 million over what we had originally planned on as a result of the events just 30 days ago. So we have a very substantial sum to give the Centers for Disease Control in Atlanta to respond to bioterrorism concerns.

We have an increase of \$22.8 million for biomedical research activities at the National Institutes of Health. And, finally, the bill provides increases for the Department of Education, totaling \$4.7 billion above the President's request, and I might say it is in conformance with H.R. 1, which passed this House by a very sizable majority.

Mr. Chairman, many in this Chamber as well as the general public have been awaiting the movement of this bill over the past months. The primary reason for its delay over the summer has been our interest in seeing the Committee on Education and the Workforce complete their work in authorizing comprehensive reform for our elementary and secondary education program, the President's number one domestic priority.

Although the conference on this legislation is not yet complete, we have taken the format of the House passed version of H.R. 1 in crafting this bill. As many of you are aware, the bill received an increase in its allocation to address the priorities of education reform \$4.2 billion of the \$4.7 billion increase in the original allocation is devoted to three areas of education funding: Title I funding for the disadvantaged, Special Education and Pell Grants. And I am pleased that we could increase Pell Grants because this helps those students who do not have the necessary resources to get an opportunity to get education beyond high school.

Education programs for the disadvantaged based upon H.R. 1, the No Child Left Behind Act, are funded at \$10.5 bil-

lion. While this funding level is a significant increase over last year, I want to highlight a major difference in the program over previous years. Under this bill and its underlying authorization, schools are now being held accountable to children and their parents for achieving success in reading and math. Gone are the days when Federal dollars flow to States and local education and counties with no accountability. The disadvantaged children of this country will no longer be permitted to be pushed along from grade to grade with little hope for their futures.

As a former teacher and principal myself, I recognize the vital role of a good teacher in ensuring the success of a student. I appreciate the work of the authorizers in recognizing this as well in title II of H.R. 1. We have provided \$3.175 billion in this bill for teacher quality programs. These programs include both training for teachers just entering the field and continuing education for those already teaching.

In addition, we have provided \$50 million for the Transition to Teaching/Troops to Teachers Program. I would especially highlight the Troops to Teachers Program, to which our First Lady Laura Bush is devoting a great deal of her time. This program will assist retiring members of our military by facilitating the necessary steps for teacher certification, enabling them to move into the field of teaching for their second careers. They bring to this field a vast amount of experience, both in working with people as well as experience and in many locations around the world. Our dedicated service men and women often have extensive knowledge and expertise in science and math, the very subjects that so many of our children are struggling with in the school experience.

Further, these military personnel have attained a level of maturity and organization that would be of great benefit to our schools today. I personally am very enthused about this program and its potential for our Nation's leaders, and I am grateful to our First Lady for her leadership in attempting to make it a success.

Next, we know how important the early years of learning are to promoting reading readiness. To assist our Nation's youngest children in obtaining these vital tools for reading, we are funding two new programs in the President's budget request, Reading First State Grants and Early Reading First. These programs are intended to enable children to derive the necessary tools for success in reading, including phonemic awareness, alphabetic knowledge and vocabulary. I know from my own experience as an elementary principal that you have to read before you can go into science, math and the other disciplines. Reading becomes fundamental.

Consistent with H.R. 1, our bill eliminates 35 programs in the Department of Education, consolidating and streamlining them and granting maximum flexibility to States and local education agencies to use funds to best meet the needs of their students. Again, we will put the money where it helps children and not so much in administrative costs.

Many Members have expressed their concerns about the level of Federal funding for Special Education. The fiscal year 2002 bill provides \$7.7 billion for grants to the States for Special Education. This level is the highest ever for Special Education. As I mentioned earlier, the House and Senate education committees have not yet completed their conference on H.R. 1 and the issue of how special education is funded in the future has been an issue for the conference.

The Senate version of the bill included a provision to take funding for special ed out of discretionary spending and instead provide for it through mandatory spending. I want to emphasize that the proposal is the wrong way to approach this type of funding. We need to have oversight to make sure these programs are reaching the students that we want, and that the money is used wisely and carefully.

We are aware of numerous problems with the program, and only when the funding remains on budget is it accountable to the people through annual review of the Congress through the appropriations process.

Mr. Chairman, I commend the Secretary of Education for his announcement this past week of a special commission to examine the special education program and make recommendations for improving it. It is through this process that we can improve the program and more effectively fund the many needs of our Nation's children in need of special education services.

Finally, we all recognize the importance of higher education in meeting the needs of our 21st century global economy. Higher education expenses continue to increase at a higher level than inflation, presenting a major barrier for low-income students.

I am pleased to report that the bill includes an increase in funding for the Pell Grant programs which would bring the maximum grant level to \$4,000, the highest in history.

The tragic events of September 11 have changed the lives of us all. While we are now focusing on terrorism around the world, we must make every effort to protect our citizens at home. Through several accounts within the Department of Health and Human Services, we are working to prepare our public health agencies to respond to bioterrorism threats. We have provided a total of \$393 million to address these needs.

Here at home the health and well-being of our citizens, not just in the area of bioterrorism, but otherwise, must remain a priority for us all.

The bill provides an increase of \$22.8 million for biomedical research activities at the National Institutes of Health. This increase is the same programmatic increase requested by the President.

During the course of our public witness hearings over 7 full days, a majority of our witnesses testified about diseases afflicting either themselves or a loved one. They appeared before our subcommittee seeking hope, hope for successful treatment and cures for these diseases. Our members have been touched by this testimony, and we are committed to providing funding so that the best and brightest researchers in our Nation, and I might say the most dedicated, may work to achieve the hope of so many of our citizens. Whether it is hope for my young constituent in North Canton, Ohio, who suffers from juvenile diabetes, or an older constituent in my district who in his middle years has received the devastating diagnosis of Parkinson's disease, funds for research are the hope we can provide.

The countless scientific breakthroughs and studies we have already funded have given us a great deal of knowledge in how to prevent disease and illness. It is incumbent upon us to share this knowledge to improve the health of the Nation. Through the good work of the Centers for Disease Control and Prevention, we are getting the messages of prevention out.

In total, the bill provides \$4 billion directly to the Centers for Disease Control. Its work includes efforts to prevent chronic diseases such as diabetes, heart disease and stroke by promoting healthy lifestyles.

Through the work of CDC's epidemic officers, we can bring important assistance and assurances to communities when disease outbreaks occur, as they did in my district this past spring. Students at a high school in my district contracted meningitis, a severe illness with potentially life-threatening consequences. The Centers for Disease Control, together with the Department of Health, worked to bring the outbreak under control and prevent its spread. The presence of CDC brought a sense of security to the community.

Our Nation's community health centers, funded through the Health Resources and Services Administration, represent an important health care option for the underserved. A funding priority for the President, we are pro-

viding \$1.3 billion for these centers, which is an increase of \$150 million over last year's bill and \$26 million over the President's request. These take the place in many areas of emergency rooms and provide a much better source of health care on an easy-to-get-to basis.

This bill supports our country's comprehensive effort to aggressively combat HIV/AIDS, an epidemic claiming 40,000 new victims each year. It provides \$112 million for the Ryan White AIDS programs, which enable individuals to access needed medical care and support services. The bill provides \$844 million for programs at the CDC which fund research, surveillance, as well as State and local efforts to prevent the spread of this disease. It continues to support the groundbreaking research funded by NIH that could lead to improved treatments and, hopefully, a cure one day.

Through all these programs, this bill continues to support the Minority AIDS Initiative, which seeks to address the disproportionate impact of HIV/AIDS among racial and ethnic minorities.

We have included a total of \$40 million for abstinence only education programs. This amount is \$10 million over the President's budget request and \$20 million over last year.

The training of pediatricians and pediatric specialists is an important priority. I am pleased to report that the bill funds Children's Graduate Medical Education at the full authorization level of \$285 million.

Following the President's lead, this bill commits substantial resources to deal with our Nation's substance abuse program. It provides over \$2 billion, an increase of \$121 million from the previous fiscal year. Some of these funds will support the development of new prevention and treatment models and improve the delivery of services to the homeless population. Over \$1.7 billion will be allocated for State substance abuse block grants, which support alcohol and drug abuse prevention, treatment and rehabilitation services.

The bill represents security in so many ways for so many people, including funding for the Low Income Home Energy Assistance Program at \$2 billion, the highest level ever.

In addressing the President's Faith-Based Initiative, I am pleased to report that we have funded two programs in the budget request: The Safe and Stable Families Program at \$70 million and the Compassion Capital Fund at \$30 million for a total of \$100 million.

The bill funds the Head Start Program at \$6.4 billion, allowing for a con-

tinuation of the same level of services. It is a \$276 million increase, and we are urging through report language that Head Start put more emphasis on education programs in their areas.

This bill supports a number of efforts to improve the health and quality of life of older Americans. It provides a \$10 million increase for programs designed to enhance the training of health professionals in geriatrics, so they can better understand and respond to the health needs of our aging population, and a number of other things that are important to seniors, foster grandparents and so on.

The Department of Labor will receive a total of \$14 billion in this bill to address growing needs in Workforce Investment Act job training as a result of our slowing economy. We provide \$105 million over fiscal year 2001.

□ 1345

One compelling public witness who appeared before our committee addressed funding for Job Corps. This gentleman, now an employee of Roto Rooter in Cincinnati, told us of how his training at a Job Corps center and the job he now holds as a result has changed his life. He now has hope for his future when before he had none. I think we forget when we do these bills how they really touch the lives of people, and he was such a classic example of how important this program was to his future and what a great difference it has made.

Independent agencies. We gave the Social Security Administration additional funds so that when people need help in understanding their Social Security situation, there will be enough staff to take care of them.

We worked with the Institute of Museum and Library Services, again an important agency for the people of America. Libraries in communities across this Nation are windows of opportunity for so many young and elderly people alike.

The bill before you is a balanced, bipartisan bill. Through the numerous programs I have just described and the many I have not had time to mention, the bill provides security and hope for our citizens in greatest need.

I say to my colleagues, I ask for your support of passage of this bill. It is a good bill. It is a fair bill. It tries in a balanced way to address the multiplicity of needs, and it does show that we are a good neighbor, that this Nation cares about the quality of life for all its citizens.



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## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
TITLE I - DEPARTMENT OF LABOR					
EMPLOYMENT AND TRAINING ADMINISTRATION					
TRAINING AND EMPLOYMENT SERVICES					
Grants to States:					
Adult Training, current year.....	238,000	900,000	238,000	---	-662,000 D FF
Advance from prior year.....	(712,000)	(712,000)	(712,000)	---	--- NA
FY03.....	712,000	---	712,000	---	+712,000 D
Adult Training, program level.....	950,000	900,000	950,000	---	+50,000
Youth Training.....	1,127,965	1,000,965	1,353,065	+225,100	+352,100 D FF
Dislocated Worker Assistance, current year.....	377,540	1,383,040	840,040	+462,500	-543,000 D FF
Advance from prior year.....	(1,060,000)	(1,060,000)	(1,060,000)	---	--- NA
FY03.....	1,060,000	---	695,000	-365,000	+695,000 D
Dislocated Worker Assistance, program level.....	1,437,540	1,383,040	1,535,040	+97,500	+152,000
Federally administered programs:					
Native Americans.....	55,000	55,000	55,000	---	--- D FF
Migrant and Seasonal Farmworkers.....	76,770	76,770	77,270	+500	+500 D FF
Job Corps:					
Operations.....	687,773	1,278,773	762,799	+75,026	-515,974 D FF
Advance from prior year.....	(591,000)	(591,000)	(591,000)	---	--- NA
FY03.....	591,000	---	591,000	---	+591,000 D
Construction and Renovation.....	20,375	120,375	20,375	---	-100,000 D FF
Advance from prior year.....	(100,000)	(100,000)	(100,000)	---	--- NA
FY03.....	100,000	---	100,000	---	+100,000 D
Subtotal, Job Corps, program level.....	1,399,148	1,399,148	1,474,174	+75,026	+75,026

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
National activities:						
Pilots, Demonstrations and Research.....	97,432	35,000	55,000	-42,432	+20,000	D FF
Responsible Reintegration of Youthful Offender	55,000	---	55,000	---	+55,000	D FF
Evaluation.....	9,098	9,098	9,098	---	---	D FF
Incumbent Workers.....	---	---	---	---	---	D
Safe Schools/Healthy Students.....	---	---	---	---	---	D
Youth Opportunity Grants.....	250,000	250,000	---	-250,000	-250,000	D FF
Other.....	15,000	15,000	15,000	---	---	D FF
Subtotal, National activities.....	426,530	309,098	134,098	-292,432	-175,000	
Subtotal, Federal activities.....	1,957,448	1,840,016	1,740,542	-216,906	-99,474	
Total, Workforce Investment Act.....	5,472,953	5,124,021	5,578,647	+105,694	+454,626	
Women in Apprenticeship.....	1,000	1,000	1,000	---	---	D
Skill Standards.....	3,500	3,500	3,500	---	---	D FF
Subtotal, National activities, TES.....	431,030	313,598	138,598	-292,432	-175,000	
Total, Training and Employment Services.....	5,477,453	5,128,521	5,583,147	+105,694	+454,626	
Current Year.....	(3,014,453)	(5,128,521)	(3,485,147)	(+470,694)	(-1,643,374)	
FY03.....	(2,463,000)	---	(2,098,000)	(-365,000)	(+2,098,000)	
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS.....	440,200	440,200	440,200	---	---	D FF

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES					
Trade Adjustment.....	342,400	---	---	-342,400	---
NAFTA Activities.....	64,150	11,000	11,000	-53,150	---
Legislative Proposal (NAFTA/TAA).....	---	404,650	404,650	+404,650	---
Total.....	406,550	415,650	415,650	+9,100	---
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS					
Unemployment Compensation: State Operations.....	2,357,295	2,403,923	2,403,923	+46,628	---
National Activities.....	10,000	10,000	10,000	---	---
Subtotal, Unemployment Comp (trust funds).....	2,367,295	2,413,923	2,413,923	+46,628	---
Employment Service: Allotments to States: Federal Funds.....	23,452	23,452	23,452	---	---
Trust Funds.....	773,283	773,283	773,283	---	---
Subtotal.....	796,735	796,735	796,735	---	---
ES National Activities.....	49,680	49,680	49,680	---	---
Subtotal, Employment Service.....	846,415	846,415	846,415	---	---
Federal Funds.....	23,452	23,452	23,452	---	---
Trust Funds.....	822,963	822,963	822,963	---	---
One Stop Career Centers/Labor Market Information.....	150,000	134,000	120,000	-30,000	-14,000
Work Incentives Grants.....	20,000	20,000	20,000	---	---
Total, State Unemployment.....	3,383,710	3,414,338	3,400,338	+16,628	-14,000
Federal Funds.....	193,452	177,452	163,452	-30,000	-14,000
Trust Funds.....	3,190,258	3,236,886	3,236,886	+46,628	---

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	FY 2001 Comparable	Bill compared with FY 2001 Comparable	FY 2002 Request
ADVANCES TO THE UI AND OTHER TRUST FUNDS (1).....	435,000	464,000	464,000	+29,000	---	M
PROGRAM ADMINISTRATION						
Adult Employment and Training.....	32,911	34,010	34,184	+1,273	+174	D
Trust Funds.....	2,797	2,887	2,887	+90	---	TF
Youth Employment and Training.....	37,011	37,557	37,743	+732	+186	D
Employment Security.....	4,974	5,789	6,030	+1,056	+241	D
Trust Funds.....	44,351	44,216	44,216	-135	---	TF
Apprenticeship Services.....	21,069	21,367	21,474	+405	+107	D
Executive Direction.....	7,960	7,945	7,991	+31	+46	D
Trust Funds.....	1,359	1,404	1,404	+45	---	TF
Welfare to Work.....	6,431	5,903	5,934	-497	+31	D
Total, Program Administration.....	158,863	161,078	161,863	+3,000	+785	
Federal Funds.....	110,356	112,571	113,356	+3,000	+785	
Trust Funds.....	48,507	48,507	48,507	---	---	
Total, Employment & Training Administration.....	10,301,776	10,023,787	10,465,198	+163,422	+441,411	
Federal Funds.....	7,063,011	6,738,394	7,179,805	+116,794	+441,411	
Current Year.....	(4,600,011)	(6,738,394)	(5,081,805)	(+481,794)	(-1,656,589)	
FY03.....	(2,463,000)	---	(2,098,000)	(-365,000)	(+2,098,000)	
Trust Funds.....	3,238,765	3,285,393	3,285,393	+46,628	---	

(1) Two year availability.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## PENSION AND WELFARE BENEFITS ADMINISTRATION

## SALARIES AND EXPENSES

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Enforcement and Compliance.....	83,453	84,640	85,525	+2,072	+885 D
Policy, Regulation and Public Service.....	20,205	19,234	20,205	---	+971 D
Program Oversight.....	3,975	4,114	4,136	+161	+22 D

Total, PWBA.....	107,633	107,988	109,866	+2,233	+1,878
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## PENSION BENEFIT GUARANTY CORPORATION

Program Administration subject to limitation (TF).....	11,652	11,652	11,690	+38	+38 TF
Termination services not subject to limitation (NA)...	(178,924)	(178,924)	(178,924)	---	--- NA
Total, PBGC (Program level).....	(190,576)	(190,576)	(190,614)	(+38)	(+38)

## EMPLOYMENT STANDARDS ADMINISTRATION

## SALARIES AND EXPENSES

Enforcement of Wage and Hour Standards.....	152,369	152,569	153,862	+1,493	+1,293 D
Office of Labor-Management Standards.....	30,492	30,632	32,769	+2,277	+2,137 D
Federal Contractor EEO Standards Enforcement.....	76,148	76,308	76,979	+831	+671 D
Federal Programs for Workers' Compensation.....	88,687	90,098	90,846	+2,159	+748 D
FECA Fees.....	---	-80,281	---	---	+80,281 D
Trust Funds.....	1,981	1,981	1,981	---	--- TF
Program Direction and Support.....	13,039	13,127	13,194	+155	+67 D

Total, ESA salaries and expenses.....	362,716	284,434	369,631	+6,915	+85,197
Federal Funds.....	360,735	282,453	367,650	+6,915	+85,197
Trust Funds.....	1,981	1,981	1,981	---	---



## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
SPECIAL BENEFITS					
Federal employees compensation benefits.....	53,000	118,000	118,000	+65,000	---
Longshore and harbor workers' benefits.....	3,000	3,000	3,000	---	---
Total, Special Benefits.....	56,000	121,000	121,000	+65,000	---
ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND					
Program Benefits.....	(358,000)	(597,000)	(597,000)	(+239,000)	---
Administrative Expenses (1).....	60,328	136,000	136,000	+75,672	---
BLACK LUNG DISABILITY TRUST FUND					
Benefit payments and interest on advances.....	975,343	981,283	981,283	+5,940	---
Employment Standards Adm. S&E.....	30,293	31,443	31,558	+1,265	+115
Departmental Management S&E.....	21,590	22,590	22,590	+1,000	---
Departmental Management, Inspector General.....	318	328	328	+10	---
Subtotal, Black Lung Disability.....	1,027,544	1,035,644	1,035,759	+8,215	+115
Treasury Administrative Costs.....	356	356	356	---	---
Total, Black Lung Disability Trust Fund.....	1,027,900	1,036,000	1,036,115	+8,215	+115
Total, Employment Standards Administration.....	1,506,944	1,577,434	1,662,746	+155,802	+85,312
Federal Funds.....	1,504,963	1,575,453	1,660,765	+155,802	+85,312
Trust Funds.....	1,981	1,981	1,981	---	---

(1) \$10,000,000 transferred from ESA to CDC, OSHA.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION					
SALARIES AND EXPENSES					
Safety and Health Standards.....	15,069	13,875	13,931	-1,138	+56 D
Federal Enforcement.....	151,836	154,816	157,788	+5,952	+2,972 D
State Programs.....	88,369	88,119	88,694	+325	+575 D
Technical Support.....	20,189	19,562	20,251	+62	+689 D
Compliance Assistance: Federal Assistance.....	56,255	57,180	57,393	+1,138	+213 D
State Consultation Grants.....	48,834	48,834	50,199	+1,365	+1,365 D
Training Grants.....	11,175	8,175	11,175	---	+3,000 D
Subtotal.....	116,264	114,189	118,767	+2,503	+4,578
Safety and Health Statistics.....	25,597	26,257	26,595	+998	+338 D
Executive Direction and Administration.....	8,562	9,017	9,281	+719	+264 D
Total, OSHA.....	425,886	425,835	435,307	+9,421	+9,472
MINE SAFETY AND HEALTH ADMINISTRATION					
SALARIES AND EXPENSES					
Coal Enforcement.....	114,505	110,915	113,449	-1,056	+2,534 D
Metal/Non-Metal Enforcement.....	55,117	60,424	61,773	+6,656	+1,349 D
Standards Development.....	1,760	2,304	2,357	+597	+53 D
Assessments.....	4,265	4,701	4,807	+542	+106 D
Educational Policy and Development.....	31,455	27,984	28,585	-2,870	+601 D
Technical Support.....	27,053	27,427	28,025	+972	+598 D
Program Administration.....	12,151	12,551	12,729	+578	+178 D
Total, Mine Safety and Health Administration.....	246,306	246,306	251,725	+5,419	+5,419

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## BUREAU OF LABOR STATISTICS

## SALARIES AND EXPENSES

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
Employment and Unemployment Statistics.....	142,313	146,796	147,038	+4,725	+242	D
Labor Market Information (Trust Funds).....	67,257	69,132	69,132	+1,875	---	TF
Prices and Cost of Living.....	135,136	149,264	149,801	+14,665	+537	D
Compensation and Working Conditions.....	71,076	74,126	74,390	+3,314	+264	D
Productivity and Technology.....	9,164	9,599	9,621	+457	+22	D
Economic Growth and Employment Projections.....	---	---	---	---	---	D
Executive Direction and Staff Services.....	25,941	27,083	27,126	+1,185	+43	D
Total, Bureau of Labor Statistics.....	450,887	476,000	477,108	+26,221	+1,108	
Federal Funds.....	383,630	406,868	407,976	+24,346	+1,108	
Trust Funds.....	67,257	69,132	69,132	+1,875	---	

## DEPARTMENTAL MANAGEMENT

## SALARIES AND EXPENSES

Executive Direction.....	26,303	26,502	26,672	+369	+170	D
Departmental IT Crosscut.....	37,000	80,000	51,708	+14,708	-28,292	D
Legal Services.....	74,384	74,657	79,914	+5,530	+5,257	D
Trust Funds.....	310	310	310	---	---	TF
International Labor Affairs.....	147,982	71,588	147,982	---	+76,394	D
Administration and Management.....	24,732	29,732	29,833	+5,101	+101	D
Adjudication.....	24,688	24,688	25,009	+321	+321	D
Women's Bureau.....	10,186	10,186	10,251	+65	+65	D

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
Civil Rights Activities.....	5,839	5,839	5,887	+48	+48	D
Chief Financial Officer.....	5,963	6,263	6,312	+349	+49	D
Disability Policy.....	---	---	---	---	---	D
Total, Salaries and expenses.....	357,387	329,765	383,878	+26,491	+54,113	
Federal Funds.....	357,077	329,455	383,568	+26,491	+54,113	
Trust Funds.....	310	310	310	---	---	
OFFICE OF DISABILITY EMPLOYMENT POLICY						
Office of Disability Employment Policy.....	20,413	40,623	30,413	+10,000	-10,210	D
Task Force on Employment of Adults with Disabilities..	2,556	2,640	2,640	+84	---	D
Total, Office of Disability Employment Policy....	22,969	43,263	33,053	+10,084	-10,210	
VETERANS EMPLOYMENT AND TRAINING						
State Administration:						
Disabled Veterans Outreach Program.....	81,615	81,615	81,615	---	---	TF
Local Veterans Employment Program.....	77,253	77,253	77,253	---	---	TF
Subtotal, State Administration.....	158,868	158,868	158,868	---	---	
Federal Administration.....	27,988	28,035	28,035	+47	---	TF
Homeless Veterans Program.....	17,500	17,500	17,500	---	---	D
Veterans Workforce Investment Programs.....	7,300	7,300	7,300	---	---	D FF
Total, Veterans Employment and Training.....	211,656	211,703	211,703	+47	---	
Federal Funds.....	24,800	24,800	24,800	---	---	
Trust Funds.....	186,856	186,903	186,903	+47	---	

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## OFFICE OF THE INSPECTOR GENERAL

Program Activities.....	43,111	45,114	45,114	+2,003	---	D
Trust Funds.....	4,770	4,951	4,951	+181	---	TF
Executive Direction and Management.....	6,802	7,068	7,068	+266	---	D
Total, Office of the Inspector General.....	54,683	57,133	57,133	+2,450	---	
Federal funds.....	49,913	52,182	52,182	+2,269	---	
Trust funds.....	4,770	4,951	4,951	+181	---	
Total, Departmental Management.....	646,695	641,864	685,767	+39,072	+43,903	
Federal Funds.....	454,759	449,700	493,603	+38,844	+43,903	
Trust Funds.....	191,936	192,164	192,164	+228	---	
Total, Labor Department.....	13,697,779	13,510,866	14,099,407	+401,628	+588,541	
Federal Funds.....	10,186,188	9,950,544	10,539,047	+352,859	+588,503	
Current Year.....	(7,723,188)	(9,950,544)	(8,441,047)	(+717,859)	(-1,509,497)	
FY03.....	(2,463,000)	---	(2,098,000)	(-365,000)	(+2,098,000)	
Trust Funds.....	3,511,591	3,560,322	3,560,360	+48,769	+38	



11

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES

## HEALTH RESOURCES AND SERVICES ADMINISTRATION

## HEALTH RESOURCES AND SERVICES

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Community health centers.....	1,168,559	1,292,723	1,318,559	+150,000	+25,836 D
National Health Service Corps: Field placements.....	41,462	42,511	42,511	+1,049	--- D
Recruitment.....	87,912	87,916	100,000	+12,088	+12,084 D
Subtotal.....	129,374	130,427	142,511	+13,137	+12,084
Health Professions					
Training for Diversity: Centers of excellence.....	30,637	12,847	33,637	+3,000	+20,790 D
Health careers opportunity program.....	32,795	13,752	35,795	+3,000	+22,043 D
Faculty loan repayment.....	1,330	557	1,330	---	+773 D
Scholarships for disadvantaged students.....	44,473	18,651	46,473	+2,000	+27,822 D
Subtotal.....	109,235	45,807	117,235	+8,000	+71,428
Training in Primary Care Medicine and Dentistry.....	91,048	---	95,048	+4,000	+95,048 D
Interdisciplinary Community-Based Linkages: Area health education centers.....	33,362	7,556	33,362	---	+25,806 D
Health education and training centers.....	4,403	---	4,403	---	+4,403 D
Allied health and other disciplines.....	8,422	1,907	9,501	+1,079	+7,594 D
Geriatric programs.....	12,410	---	22,410	+10,000	+22,410 D
Quentin N. Burdick pgm for rural training.....	5,988	---	5,988	---	+5,988 D
Subtotal.....	64,585	9,463	75,664	+11,079	+66,201
Health Professions Workforce Info & Analysis.....	824	824	824	---	--- D

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Public Health Workforce Development:					
Public health, preventive med. & dental pgms.....	9,478	2,147	11,478	+2,000	+9,331 D
Health administration programs.....	1,231	---	1,231	---	+1,231 D
Subtotal.....	10,709	2,147	12,709	+2,000	+10,562
Children's Hospitals Graduate Medical Educ.....	234,980	200,094	285,000	+50,020	+84,906 D
Advanced Education Nursing.....	59,045	59,048	61,048	+2,003	+2,000 D
Basic nurse education and practice.....	12,790	16,291	16,291	+3,501	---
Nursing workforce diversity.....	4,673	6,173	6,173	+1,500	---
Subtotal, Health professions.....	587,889	339,847	669,992	+82,103	+330,145
Other HRSA Programs:					
Hansen's Disease Services.....	17,890	18,391	17,491	-399	-900 D
Maternal & Child Health Block Grant.....	714,151	709,087	740,000	+25,849	+30,913 D
Abstinence Education					
Advance from prior year.....	(20,000)	(30,000)	(30,000)	(+10,000)	---
FY03.....	30,000	---	---	-30,000	---
Current Year.....	---	15	10,000	+10,000	+9,985 D
Healthy Start.....	89,996	89,996	102,000	+12,004	+12,004 D
Universal Newborn Hearing.....	7,999	6,581	10,000	+2,001	+3,419 D
Organ Transplantation.....	14,992	19,992	19,992	+5,000	---
Bone Marrow Program.....	21,958	22,000	22,000	+42	---
Rural outreach grants.....	58,211	37,863	51,863	-6,348	+14,000 D
Rural Health Research.....	13,436	6,099	12,099	-1,337	+6,000 D
Telehealth.....	35,976	5,609	27,609	-8,367	+22,000 D
Denali Commission.....	10,000	---	---	-10,000	---

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Critical care programs:					
Emergency medical services for children.....	18,985	15,574	19,000	+15	+3,426 D
Poison control.....	19,995	16,421	16,421	-3,574	--- D
Subtotal, Critical care programs.....	38,980	31,995	35,421	-3,559	+3,426
Black lung clinics.....	6,000	6,000	6,000	---	--- D
Trauma Care.....	3,000	2,467	3,000	---	+533 D
Nursing loan repayment for shortage area service..	7,279	2,279	2,279	-5,000	--- D
Payment to Hawaii, treatment of Hansen's.....	2,045	2,045	2,045	---	--- D
Subtotal, Other HRSA programs:					
Current year.....	1,041,913	960,419	1,061,799	+19,886	+101,380
FY03.....	30,000	---	---	-30,000	---
Ryan White AIDS Programs:					
Emergency Assistance.....	604,169	604,169	619,169	+15,000	+15,000 D
Comprehensive Care Programs.....	910,969	910,969	985,969	+75,000	+75,000 D
AIDS Drug Assistance Program (ADAP) (NA).....	(589,000)	(589,000)	(649,000)	(+60,000)	(+60,000) NA
Early Intervention Program.....	185,879	186,034	192,878	+6,999	+6,844 D
Pediatric HIV/AIDS.....	64,995	64,995	69,995	+5,000	+5,000 D
AIDS Dental Services.....	9,999	9,999	15,000	+5,001	+5,001 D
Education and Training Centers.....	31,598	31,598	36,598	+5,000	+5,000 D
Subtotal, Ryan White AIDS programs.....	1,807,609	1,807,764	1,919,609	+112,000	+111,845
Family Planning.....	253,897	254,170	264,170	+10,273	+10,000 D
Health Care and Other Facilities.....	251,546	---	---	-251,546	--- D
Buildings and Facilities.....	250	250	250	---	--- D
Rural Hospital Flexibility Grants.....	24,996	24,997	35,000	+10,004	+10,003 D
Rural Access to Emergency Devices.....	---	---	12,500	+12,500	+12,500 D

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
National Practitioner Data Bank.....	17,200	17,200	17,200	---	---
User Fees.....	-17,200	-17,200	-17,200	---	---
Health Care Integrity and Protection Data Bank.....	4,317	8,000	8,000	+3,683	---
User Fees.....	-4,317	-8,000	-8,000	-3,683	---
Community Access Program.....	139,984	15,041	120,041	-19,943	+105,000
Program Management.....	138,972	147,049	147,049	+8,077	---
Total, Health resources and services.....	5,574,989 (5,544,989) (30,000)	4,972,687 (4,972,687) ---	5,691,480 (5,691,480) ---	+116,491 (+146,491) (-30,000)	+718,793 (+718,793) ---
HEALTH EDUCATION ASSISTANCE LOANS PROGRAM:					
Liquidating account.....	(10,000)	(10,000)	(10,000)	---	---
Program account.....	(9,000)	---	---	(-9,000)	---
Program management.....	3,672	3,792	3,792	+120	---
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:					
Post-FY88 claims.....	114,355	114,855	114,855	+500	---
HRSA administration.....	2,992	2,992	2,992	---	---
Total, Vaccine injury.....	117,347	117,847	117,847	+500	---
Total, Health Resources & Services Admin.....	5,696,008 (5,666,008) (30,000)	5,094,326 (5,094,326) ---	5,813,119 (5,813,119) ---	+117,111 (+147,111) (-30,000)	+718,793 (+718,793) ---
Evaluation Tap.....	(38,800)	(68,600)	(35,927)	(-2,873)	(-32,673)

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	FY 2001 Comparable	FY 2002 Request	Bill compared with FY 2001 Comparable	FY 2002 Request
CENTERS FOR DISEASE CONTROL							
DISEASE CONTROL, RESEARCH AND TRAINING							
Birth Defects/Developmental Disabilities/Disability and Health.....	70,726	76,280	80,280		+9,554		+4,000 D
Chronic Disease Prevention and Health Promotion.....	749,708	574,560	722,495		-27,213		+147,935 D
Environmental Health.....	137,255	136,683	146,683		+9,428		+10,000 D
Epidemic Services and Response.....	77,761	80,303	80,303		+2,542		---
Health Statistics.....	50,260	---	33,014		-17,246		+33,014 D
Evaluation Tap funding (NA).....	(71,690)	(126,978)	(93,964)		(+22,274)		(-33,014) NA
HIV/AIDS, STD and TB Prevention.....	1,044,070	1,068,452	1,148,452		+104,382		+80,000 D
Immunization.....	552,572	574,645	599,645		+47,073		+25,000 D
Infectious Disease Control.....	317,582	331,518	343,018		+25,436		+11,500 D
Injury Prevention and Control.....	142,832	143,655	143,655		+823		---
Occupational Safety and Health (1).....	260,032	266,135	270,135		+10,103		+4,000 D
Preventive Health and Health Services Block Grant.....	135,029	135,030	135,030		+1		---
Public Health Improvement.....	110,876	109,910	149,910		+39,034		+40,000 D
Buildings and Facilities.....	175,000	150,000	175,000		---		+25,000 D
Office of the Director.....	39,070	49,440	49,440		+10,370		---
Bioterrorism (2).....	(180,919)	(181,919)	(231,919)		(+51,000)		(+50,000) NA
ATSDR (3).....	(74,835)	(78,235)	---		(-74,835)		(-78,235) NA
Total, Disease Control.....	3,862,773	3,696,611	4,077,060		+214,287		+380,449
Evaluation Tap funding (NA).....	(71,690)	(126,978)	(93,964)		(+22,274)		(-33,014) NA

(1) Includes Mine Safety and Health.

(2) Funds are provided in the Public Health and Social Service Emergency Fund.

(3) Funded in VA/HUD Bill.



## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## NATIONAL INSTITUTES OF HEALTH

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
National Cancer Institute.....	3,737,217	4,177,203	4,146,291	+409,074	-30,912 D
Evaluation Tap.....	(36,712)	(68,807)	(37,895)	(+1,183)	(-30,912) NA
Program Level.....	(3,700,505)	(4,108,396)	(4,108,396)	(+407,891)	---
National Heart, Lung, and Blood Institute.....	2,298,664	2,567,429	2,547,675	+249,011	-19,754 D
Evaluation Tap.....	(22,497)	(43,972)	(24,218)	(+1,721)	(-19,754) NA
Program Level.....	(2,276,167)	(2,523,457)	(2,523,457)	(+247,290)	---
National Institute of Dental & Craniofacial Research..	306,153	341,898	339,268	+33,115	-2,630 D
Evaluation Tap.....	(3,003)	(5,856)	(3,226)	(+223)	(-2,630) NA
Program Level.....	(303,150)	(336,042)	(336,042)	(+32,892)	---
National Institute of Diabetes and Digestive and Kidney Diseases.....	1,303,570	1,457,915	1,446,705	+143,135	-11,210 D
Evaluation Tap.....	(12,751)	(24,952)	(13,742)	(+991)	(-11,210) NA
Program Level.....	(1,290,819)	(1,432,963)	(1,432,963)	(+142,144)	---
National Institute of Neurological Disorders & Stroke.	1,176,797	1,316,448	1,306,321	+129,524	-10,127 D
Evaluation Tap.....	(11,511)	(22,541)	(12,414)	(+903)	(-10,127) NA
Program Level.....	(1,165,286)	(1,293,907)	(1,293,907)	(+128,621)	---
National Institute of Allergy and Infectious Diseases.	2,062,621	2,330,325	2,312,204	+249,583	-18,121 D
Global HIV/AIDS Fund Transfer.....	---	25,000	25,000	+25,000	---
Subtotal.....	2,062,621	2,355,325	2,337,204	+274,583	-18,121
Evaluation Tap.....	(19,979)	(40,336)	(22,215)	(+2,236)	(-18,121) NA
Program Level.....	(2,042,642)	(2,314,989)	(2,314,989)	(+272,347)	---

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
National Institute of General Medical Sciences.....	1,539,903	1,720,206	1,706,968	+167,065	-13,238	D
Evaluation Tap.....	(15,018)	(29,467)	(16,229)	(+1,211)	(-13,238)	NA
Program Level.....	(1,524,885)	(1,690,739)	(1,690,739)	(+165,854)	---	---
National Institute of Child Health & Human Development	978,721	1,096,650	1,088,208	+109,487	-8,442	D
Evaluation Tap.....	(9,554)	(18,790)	(10,348)	(+794)	(-8,442)	NA
Program Level.....	(969,167)	(1,077,860)	(1,077,860)	(+108,693)	---	---
National Eye Institute.....	510,525	571,126	566,725	+56,200	-4,401	D
Evaluation Tap.....	(5,001)	(9,797)	(5,396)	(+395)	(-4,401)	NA
Program Level.....	(505,524)	(561,329)	(561,329)	(+55,805)	---	---
National Institute of Environmental Health Sciences...	502,987	561,750	557,435	+54,448	-4,315	D
Evaluation Tap.....	(4,902)	(9,606)	(5,291)	(+389)	(-4,315)	NA
Program Level.....	(498,085)	(552,144)	(552,144)	(+54,059)	---	---
NIEHS/Superfund (NA) (1).....	(62,861)	(70,228)	---	(-62,861)	(-70,228)	---
National Institute on Aging.....	786,303	879,961	873,186	+86,883	-6,775	D
Evaluation Tap.....	(7,693)	(15,079)	(8,304)	(+611)	(-6,775)	NA
Program Level.....	(778,610)	(864,882)	(864,882)	(+86,272)	---	---
National Institute of Arthritis and Musculoskeletal and Skin Diseases.....	396,528	443,565	440,144	+43,616	-3,421	D
Evaluation Tap.....	(3,875)	(7,616)	(4,195)	(+320)	(-3,421)	NA
Program Level.....	(392,653)	(435,949)	(435,949)	(+43,296)	---	---

(1) Superfund \$ are appropriated in the VA/HUD Bill.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
National Institute on Deafness and Other Communication Disorders.....	301,069	336,757	334,161	+33,092	-2,596 D
Evaluation Tap.....	(2,945)	(5,778)	(3,182)	(+237)	(-2,596) NA
Program Level.....	(298,124)	(330,979)	(330,979)	(+32,855)	---
National Institute of Nursing Research.....	105,158	117,686	116,773	+11,615	-913 D
Evaluation Tap.....	(1,026)	(2,029)	(1,116)	(+90)	(-913) NA
Program Level.....	(104,132)	(115,657)	(115,657)	(+11,525)	---
National Institute on Alcohol Abuse and Alcoholism.....	340,537	381,966	379,026	+38,489	-2,940 D
Evaluation Tap.....	(3,333)	(6,544)	(3,604)	(+271)	(-2,940) NA
Program Level.....	(337,204)	(375,422)	(375,422)	(+38,218)	---
National Institute on Drug Abuse.....	780,827	907,369	900,389	+119,562	-6,980 D
Evaluation Tap.....	(7,637)	(15,538)	(8,558)	(+921)	(-6,980) NA
Program Level.....	(773,190)	(891,831)	(891,831)	(+118,641)	---
National Institute of Mental Health.....	1,106,519	1,238,305	1,228,780	+122,261	-9,525 D
Evaluation Tap.....	(10,832)	(21,202)	(11,677)	(+845)	(-9,525) NA
Program Level.....	(1,095,687)	(1,217,103)	(1,217,103)	(+121,416)	---
National Human Genome Research Institute.....	382,040	426,739	423,454	+41,414	-3,285 D
Evaluation Tap.....	(3,740)	(7,311)	(4,026)	(+286)	(-3,285) NA
Program Level.....	(378,300)	(419,428)	(419,428)	(+41,128)	---

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
National Institute of Biomedical Imaging and Bioengineering.....	1,975	40,206	39,896	+37,921	-310 D
Evaluation Tap.....	---	(689)	(379)	(+379)	(-310) NA
Program Level.....	(1,975)	(39,517)	(39,517)	(+37,542)	---
National Center for Research Resources.....	817,098	974,038	966,541	+149,443	-7,497 D
Evaluation Tap.....	(8,003)	(16,686)	(9,189)	(+1,186)	(-7,497) NA
Program Level.....	(809,095)	(957,352)	(957,352)	(+148,257)	---
National Center for Complementary and Alternative Medicine.....	89,121	100,063	99,288	+10,167	-775 D
Evaluation Tap.....	(873)	(1,723)	(948)	(+75)	(-775) NA
Program Level.....	(88,248)	(98,340)	(98,340)	(+10,092)	---
National Center on Minority Health and Health Disparities.....	132,044	158,425	157,204	+25,160	-1,221 D
Evaluation Tap.....	---	(2,718)	(1,497)	(+1,497)	(-1,221) NA
Program Level.....	(132,044)	(155,707)	(155,707)	(+23,663)	---
John E. Fogarty International Center.....	50,472	56,449	56,021	+5,549	-428 D
Evaluation Tap.....	(485)	(956)	(528)	(+43)	(-428) NA
Program Level.....	(49,987)	(55,493)	(55,493)	(+5,506)	---
National Library of Medicine.....	246,304	275,725	273,610	+27,306	-2,115 D
Evaluation Tap.....	(2,404)	(4,707)	(2,592)	(+188)	(-2,115) NA
Program Level.....	(243,900)	(271,018)	(271,018)	(+27,118)	---

20

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Office of the Director.....	188,346	232,098	232,098	+43,752	---
Buildings and Facilities.....	153,761	236,600	236,600	+82,839	---
Global HIV/AIDS Fund Transfer.....	---	70,000	75,000	+75,000	+5,000
Subtotal.....	153,761	306,600	311,600	+157,839	+5,000
Total, N.I.H. appropriations.....	20,295,260	23,041,902	22,874,971	+2,579,711	-166,931
Evaluation Tap.....	(193,774)	(382,700)	(210,769)	(+16,995)	(-171,931)
Global HIV/AIDS Fund Transfer.....	---	(95,000)	(100,000)	(+100,000)	(+5,000)
Program Level.....	(20,101,486)	(22,564,202)	(22,564,202)	(+2,462,716)	---



## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES					
ADMINISTRATION					
Mental Health:					
Programs of Regional and National Significance....	203,390	187,599	223,499	+20,109	+35,900 D
Mental Health Performance Partnership.....	420,000	420,000	440,000	+20,000	+20,000 D
Children's Mental Health.....	91,645	91,694	97,694	+6,049	+6,000 D
Grants to States for the Homeless (PATH).....	36,855	36,855	39,855	+3,000	+3,000 D
Protection and Advocacy.....	30,000	30,000	33,000	+3,000	+3,000 D
Subtotal, Mental Health.....	781,890	766,148	834,048	+52,158	+67,900
Substance Abuse Treatment:					
Programs of Regional and National Significance....	255,985	296,122	305,122	+49,137	+9,000 D
Substance Abuse Performance Partnership.....	1,665,000	1,725,000	1,725,000	+60,000	---
Subtotal, Substance Abuse Treatment.....	1,920,985	2,021,122	2,030,122	+109,137	+9,000
Substance Abuse Prevention:					
Programs of Regional and National Significance....	174,919	175,013	187,215	+12,296	+12,202 D
Program Management and Buildings and Facilities.....	85,630	67,173	80,173	-5,457	+13,000 D
Evaluation Tap funding (NA).....	---	(29,000)	---	---	(-29,000) NA
Total, Substance Abuse and Mental Health.....	2,963,424	3,029,456	3,131,558	+168,134	+102,102
Evaluation Tap funding.....	(7,700)	(14,900)	(7,873)	(+173)	(-7,027) NA

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

Research on Health Costs, Quality, and Outcomes:  
Federal Funds.....

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Research on Health Costs, Quality, and Outcomes: Federal Funds.....	102,255	---	165,835	+63,580	+165,835 D

Evaluation Tap funding (NA).....	(124,130)	(255,145)	(89,310)	(-34,820)	(-165,835) NA
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Portion for reducing medical errors (non-add)....	(50,000)	(50,000)	(50,000)	---	---
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Subtotal.....	(226,385)	(255,145)	(255,145)	(+28,760)	---
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## Health insurance and expenditure surveys:

Evaluation Tap funding (NA).....	(40,850)	(48,500)	(48,500)	(+7,650)	---
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Program Support.....	2,500	---	2,600	+100	+2,600 D
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Evaluation Tap funding (NA).....	---	(2,600)	---	---	(-2,600)
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Total, AHRQ.....	(269,735)	(303,645)	(306,245)	(+36,510)	(+2,600)
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Federal Funds.....	104,755	---	168,435	+63,680	+168,435
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Evaluation Tap funding (NA).....	(164,980)	(303,645)	(137,810)	(-27,170)	(-165,835)
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Total, Public Health Service.....	32,922,220	34,862,295	36,065,143	+3,142,923	+1,202,848
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## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
CENTER FOR MEDICARE AND MEDICAID SERVICES					
GRANTS TO STATES FOR MEDICAID					
Medicaid current law benefits.....	122,488,800	134,308,100	134,308,100	+11,819,300	---
State and local administration.....	6,998,100	7,995,800	7,995,800	+997,700	---
Vaccines for Children.....	775,233	795,533	795,533	+20,300	---
Subtotal, Medicaid program level, current year..	130,262,133	143,099,433	143,099,433	+12,837,300	---
Less Medicare Transfer (P.L. 105-33).....	-60,000	-70,000	-70,000	-10,000	---
Less funds advanced in prior year.....	-30,589,003	-36,207,551	-36,207,551	-5,618,548	---
Total, request, current year.....	99,613,130	106,821,882	106,821,882	+7,208,752	---
New advance 1st quarter.....	36,207,551	46,601,937	46,601,937	+10,394,386	---
PAYMENTS TO HEALTH CARE TRUST FUNDS	=====	=====	=====	=====	=====
Supplemental medical insurance.....	69,777,000	81,332,000	81,332,000	+11,555,000	---
Hospital insurance for the uninsured.....	321,000	292,000	292,000	-29,000	---
Federal uninsured payment.....	132,000	150,000	150,000	+18,000	---
Program management.....	151,600	150,200	150,200	-1,400	---
Total, Payments to Trust Funds, current law.....	70,381,600	81,924,200	81,924,200	+11,542,600	---
PROGRAM MANAGEMENT					
Research, demonstration, and evaluation: Regular Program.....	138,311	55,311	55,311	-83,000	TF
Medicare Contractors.....	1,304,436	1,470,000	1,470,000	+165,564	TF
User fee legislative proposal.....	---	(115,000)	---	---	(-115,000) NA
H.R. 3103 funding (NA).....	(682,552)	(700,000)	(680,000)	(-2,552)	(-20,000) NA
Medicare Plus Choice.....	52,000	52,000	52,000	---	---
Subtotal, Contractors program level.....	(2,038,988)	(2,337,000)	(2,202,000)	(+163,012)	(-135,000)

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	TF
State Survey and Certification.....	242,147	242,147	252,147	+10,000	+10,000	TF
Federal Administration						
Federal Administration.....	506,778	533,818	533,818	+27,040	---	TF
User Fees.....	-2,074	-2,118	-2,118	-44	---	TF
Subtotal, Federal Administration.....	504,704	531,700	531,700	+26,996	---	
Total, Program management.....	2,241,598	2,351,158	2,361,158	+119,560	+10,000	
Total, Program management, program level.....	(2,924,150)	(3,051,158)	(3,041,158)	(+117,008)	(-10,000)	
Total, Center for Medicare & Medicaid Services..	208,443,879	237,699,177	237,709,177	+29,265,298	+10,000	
Federal funds.....	206,202,281	235,348,019	235,348,019	+29,145,738	---	
Current year.....	(169,994,730)	(188,746,082)	(188,746,082)	(+18,751,352)	---	
New advance, 1st quarter, FY03.....	(36,207,551)	(46,601,937)	(46,601,937)	(+10,394,386)	---	
Trust funds.....	2,241,598	2,351,158	2,361,158	+119,560	+10,000	

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
ADMINISTRATION FOR CHILDREN AND FAMILIES					
FAMILY SUPPORT PAYMENTS TO STATES					
AFDC/JOBS Child Care (State Claims).....	2,000	---	---	-2,000	---
Payments to territories.....	23,000	23,000	23,000	---	---
Emergency assistance.....	37,000	---	---	-37,000	---
State & Local Administrative Training.....	1,000	---	---	-1,000	---
Repatriation.....	1,000	1,000	1,000	---	---
Subtotal, Welfare payments.....	64,000	24,000	24,000	-40,000	---
Child Support Enforcement:					
State and local administration.....	3,247,800	3,413,800	3,413,800	+166,000	---
Federal incentive payments.....	416,000	450,000	450,000	+34,000	---
Hold Harmless payments.....	10,000	10,000	10,000	---	---
Access and visitation.....	10,000	10,000	10,000	---	---
Subtotal, Child Support Enforcement.....	3,683,800	3,883,800	3,883,800	+200,000	---
Total, Payments, current year program level.....	3,747,800	3,907,800	3,907,800	+160,000	---
Less funds advanced in previous years.....	-650,000	-1,000,000	-1,000,000	-350,000	---
Total, payments, current request.....	3,097,800	2,907,800	2,907,800	-190,000	---
New advance, 1st quarter, FY03.....	1,000,000	1,100,000	1,100,000	+100,000	---

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM						
Advance from prior year (NA).....	(1,100,000)	---	---	(-1,100,000)	---	NA
Current Year.....	300,000	1,400,000	1,700,000	+1,400,000	+300,000	D
Current year program level.....	1,400,000	1,400,000	1,700,000	+300,000	+300,000	
Emergency Allocation:						
Non-emergency funding.....	300,000	300,000	---	-300,000	-300,000	D
Contingent emergency funding.....	300,000	---	300,000	---	+300,000	D EMG
Subtotal.....	600,000	300,000	300,000	-300,000	---	
REFUGEE AND ENTRANT ASSISTANCE						
Transitional and Medical Services.....	225,105	237,291	237,291	+12,186	---	D
Social Services.....	143,621	143,621	158,621	+15,000	+15,000	D
Preventive Health.....	4,835	4,835	4,835	---	---	D
Targeted Assistance.....	49,477	49,477	49,477	---	---	D
Victims of Torture.....	10,000	10,000	10,000	---	---	D
Total, Refugee and entrant assistance.....	433,038	445,224	460,224	+27,186	+15,000	
CHILD CARE AND DEVELOPMENT GRANT						
Advance funding from prior year (NA).....	(1,182,672)	---	---	(-1,182,672)	---	NA
Current year request.....	817,196	1,799,987	2,199,987	+1,382,791	+400,000	D
After school voucher program.....	---	400,000	DEFER	---	-400,000	D
Current year program level.....	1,999,868	2,199,987	2,199,987	+200,119	---	
SOCIAL SERVICES BLOCK GRANT (TITLE XX).....	1,725,000	1,700,000	1,700,000	-25,000	---	M

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## CHILDREN AND FAMILIES SERVICES PROGRAMS

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
Programs for Children, Youth, and Families:						
Head Start, current funded.....	4,799,812	6,324,812	5,075,812	+276,000	-1,249,000	D
Advance from prior year.....	(1,400,000)	(1,400,000)	(1,400,000)	---	---	NA
FY03.....	1,400,000	---	1,400,000	---	+1,400,000	D
Subtotal, Head Start program level.....	6,199,812	6,324,812	6,475,812	+276,000	+151,000	
Consolidated Runaway, Homeless Youth Prog.....	69,123	69,133	71,133	+2,010	+2,000	D
Maternity Group Homes.....	---	33,000	DEFER	---	-33,000	D
Child Abuse State Grants.....	21,026	21,026	23,000	+1,974	+1,974	D
Child Abuse Discretionary Activities.....	33,204	17,978	19,978	-13,226	+2,000	D
Abandoned Infants Assistance.....	12,182	12,205	12,205	+23	---	D
Child Welfare Services.....	291,986	291,986	291,986	---	---	D
Child Welfare Training.....	6,998	6,998	6,998	---	---	D
Adoption Opportunities.....	27,379	27,405	27,405	+26	---	D
Adoption Incentive.....	20,000	20,000	20,000	---	---	D
Adoption Incentive (no cap adjustment).....	22,994	23,000	23,000	+6	---	D
Adoption Awareness.....	9,900	9,906	9,906	+6	---	D
Compassion Capital Fund.....	---	89,000	30,000	+30,000	-59,000	D
Promoting Responsible Fatherhood.....	---	64,000	DEFER	---	-64,000	D
Social Services and Income Maintenance Research.....	38,096	6,426	27,000	-11,096	+20,574	D
Community Based Resource Centers.....	32,834	32,834	34,000	+1,166	+1,166	D



## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Developmental disabilities program:					
State Councils.....	67,800	67,800	69,800	+2,000	+2,000 D
Protection and Advocacy.....	33,000	33,000	34,000	+1,000	+1,000 D
Developmental Disabilities Special Projects.....	10,915	10,734	10,734	-181	---
Developmental Disabilities University Affiliated..	21,800	21,800	21,800	---	---
Subtotal, Developmental disabilities.....	133,515	133,334	136,334	+2,819	+3,000
Native American Programs.....	45,989	44,396	44,396	-1,593	---
Community services:					
Grants to States for Community Services.....	599,991	599,991	620,000	+20,009	+20,009 D
Community initiative program:					
Economic Development.....	30,034	30,034	30,034	---	---
Individual Development Account Initiative.....	24,891	24,990	24,990	+99	---
Rural Community Facilities.....	5,321	---	5,321	---	+5,321 D
Subtotal, discretionary funds.....	60,246	55,024	60,345	+99	+5,321
National Youth Sports.....	16,000	---	17,000	+1,000	+17,000 D
Community Food and Nutrition.....	6,314	---	6,000	-314	+6,000 D
Subtotal, Community services.....	682,551	655,015	703,345	+20,794	+48,330
Runaway Youth Prevention.....	14,999	14,999	14,999	---	---
Domestic Violence Hotline.....	2,157	2,157	2,157	---	---
Battered Women's Shelters.....	116,899	116,918	126,918	+10,019	+10,000 D
Early Learning Fund.....	19,995	---	---	-19,995	---

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Faith-Based Center.....	---	3,000	3,000	+3,000	---
Program Direction.....	163,846	171,870	171,870	+8,024	---
	=====	=====	=====	=====	=====
Total, Children and Families Services Programs..	7,965,485	8,191,398	8,275,442	+309,957	+84,044
Current Year.....	(6,565,485)	(8,191,398)	(6,875,442)	(+309,957)	(-1,315,956)
FY03.....	(1,400,000)	---	(1,400,000)	---	(+1,400,000)
Rescission of permanent appropriations.....	-21,000	---	-21,000	---	-21,000
	=====	=====	=====	=====	=====
PROMOTING SAFE AND STABLE FAMILIES.....	305,000	305,000	305,000	---	---
Legislative Proposal(1).....	---	200,000	70,000	+70,000	-130,000
	=====	=====	=====	=====	=====
MENTORING CHILDREN OF PRISONERS.....	---	67,000	DEFER	---	-67,000
	=====	=====	=====	=====	=====
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION					
Foster Care.....	5,063,500	5,055,500	5,055,500	-8,000	---
Adoption Assistance.....	1,197,600	1,426,000	1,426,000	+228,400	---
Independent living.....	140,000	140,000	140,000	---	---
Independent living proposal.....	---	60,000	DEFER	---	-60,000
	=====	=====	=====	=====	=====
Total, Payments, current year program level.....	6,401,100	6,681,500	6,621,500	+220,400	-60,000
Less Advances from Prior Year.....	-1,538,000	-1,735,900	-1,735,900	-197,900	---
	=====	=====	=====	=====	=====
Total, payments, current request.....	4,863,100	4,945,600	4,885,600	+22,500	-60,000
New Advance, 1st quarter.....	1,735,900	1,754,000	1,754,000	+18,100	---
	=====	=====	=====	=====	=====
Total, Administration for Children & Families.	22,821,519	25,516,009	25,637,053	+2,815,534	+121,044
Current year.....	(18,685,619)	(22,662,009)	(21,383,053)	(+2,697,434)	(-1,278,956)
FY03.....	(4,135,900)	(2,854,000)	(4,254,000)	(+118,100)	(+1,400,000)

(1) Funds for this program were reclassified in the mid-session review as discretionary.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## ADMINISTRATION ON AGING

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Grants to States:					
Supportive Services and Centers.....	325,027	327,075	327,075	+2,048	---
Preventive Health.....	21,120	21,123	21,123	+3	---
Title VII.....	14,181	14,181	14,181	---	---
Family Caregivers.....	124,981	127,000	137,000	+12,019	+10,000
Nutrition:					
Congregate Meals.....	378,356	378,412	396,000	+17,644	+17,588
Home Delivered Meals.....	151,978	158,000	176,000	+24,022	+18,000
Grants to Indians.....	23,457	25,457	25,457	+2,000	---
Aging Research, Training and Special Projects.....	35,852	17,574	19,100	-16,752	+1,526
Aging Network Support Activities.....	1,812	1,812	1,812	---	---
Alzheimer's Initiative.....	8,962	8,962	8,962	---	---
Program Administration.....	17,216	18,122	18,122	+906	---
Total, Administration on Aging.....	1,102,942	1,097,718	1,144,832	+41,890	+47,114
OFFICE OF THE SECRETARY					
GENERAL DEPARTMENTAL MANAGEMENT:					
Federal Funds.....	133,709	140,532	137,547	+3,838	-2,985
NAS study.....	500	---	---	-500	---
Global HIV/AIDS Fund Transfer.....	---	5,000	---	---	-5,000
Trust Funds.....	5,851	5,851	5,851	---	---
1% Evaluation funds (ASPE) (NA).....	(21,552)	(21,552)	(21,552)	---	---
Subtotal.....	(161,612)	(172,935)	(164,950)	(+3,338)	(-7,985)

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Adolescent Family Life (Title XX).....	24,327	27,862	27,862	+3,535	---
Physical Fitness and Sports.....	1,091	1,139	1,139	+48	---
Minority health.....	49,019	43,084	43,084	-5,935	---
Office of women's health.....	17,270	27,396	26,769	+9,499	-627
U.S. Surgeon General violence initiative.....	400	400	400	---	---
Office of Emergency Preparedness.....	11,668	14,200	14,200	+2,532	---
Office of Human Research Protection.....	5,800	7,035	7,035	+1,235	---
Bioterrorism (PHSSEF) (1).....	(60,030)	(68,700)	(68,700)	(+8,670)	---
Minority HIV/AIDS.....	50,000	50,000	50,000	---	---
IT Security and Innovation Fund.....	---	30,000	25,000	+25,000	-5,000
Total, General Departmental Management.....	299,635	352,499	338,887	+39,252	-13,612
Federal Funds.....	293,784	346,648	333,036	+39,252	-13,612
Trust Funds.....	5,851	5,851	5,851	---	---
OFFICE OF THE INSPECTOR GENERAL:					
Federal Funds.....	33,586	35,786	35,786	+2,200	---
HIPAA funding (NA).....	(130,000)	(150,000)	(130,000)	---	(-20,000)
Total, Inspector General program level.....	(163,586)	(185,786)	(165,786)	(+2,200)	(-20,000)
OFFICE FOR CIVIL RIGHTS:					
Federal Funds.....	24,669	28,691	28,691	+4,022	---
Trust Funds.....	3,314	3,314	3,314	---	---
Total, Office for Civil Rights.....	27,983	32,005	32,005	+4,022	---
POLICY RESEARCH.....	16,548	2,500	2,500	-14,048	---

(1) Funds are provided in the Public Health and Social Service Emergency Fund.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS:						
Retirement payments.....	175,405	196,261	196,261	+20,856	---	M
Survivors benefits.....	12,204	12,856	12,856	+652	---	M
Dependents' medical care.....	30,811	32,167	32,167	+1,356	---	M
Military services credits.....	1,352	1,293	1,293	-59	---	M
Total, Retirement pay and medical benefits.....	219,772	242,577	242,577	+22,805	---	
PUBLIC HEALTH AND SOCIAL SERVICE EMERGENCY FUND.....	126,150	---	---	-126,150	---	D EMG
Public Health/Social Service Fund (1).....	240,949	250,619	300,619	+59,670	+50,000	D
Total, Office of the Secretary.....	964,623	915,986	952,374	-12,249	+36,388	
Federal Funds.....	955,458	906,821	943,209	-12,249	+36,388	
Trust Funds.....	9,165	9,165	9,165	---	---	
Total, Department of Health and Human Services..	266,255,183	300,091,185	301,508,579	+35,253,396	+1,417,394	
Federal Funds.....	264,004,420	297,730,862	299,138,256	+35,133,836	+1,407,394	
Current year.....	(223,630,969)	(248,274,925)	(248,282,319)	(+24,651,350)	(+7,394)	
FY03.....	(40,373,451)	(49,455,937)	(50,855,937)	(+10,482,486)	(+1,400,000)	
Trust Funds.....	2,250,763	2,360,323	2,370,323	+119,560	+10,000	

(1) The funding for this program was transferred from the Office of the Secretary and CDC to the PHSSEF.

33

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## TITLE III - DEPARTMENT OF EDUCATION

## EDUCATION REFORM

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Goals 2000: Educate America Act: State Grants forward funded.....	---	---	---	---	D FF
Parental Assistance.....	38,000	---	---	-38,000	D
Recognition and Reward.....	---	---	---	---	D
Subtotal, Goals 2000.....	38,000	---	---	-38,000	---
Educational Technology: (1) Technology Literacy Challenge Fund.....	450,000	---	---	-450,000	D
Technology Innovation Challenge Fund.....	136,328	---	---	-136,328	D
Regional Technology in Education Consortia.....	10,000	---	---	-10,000	D
Subtotal.....	596,328	---	---	-596,328	---
National Activities Technology Leadership Activities.....	2,000	---	---	-2,000	D
Teacher Training in Technology.....	125,000	---	---	-125,000	D
Community-Based Technology Centers.....	64,950	---	---	-64,950	D
Subtotal.....	191,950	---	---	-191,950	---

(1) The budget request for \$817,096,000 in education technology funding is displayed in the school improvement account.

34

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Star Schools.....	59,318	---	---	-59,318	---
Ready to Learn Television.....	16,000	---	---	-16,000	---
Telcom Demo Project for Mathematics.....	8,500	---	---	-8,500	---
Subtotal, Educational technology.....	872,096	---	---	-872,096	---
Total, Education Reform.....	910,096	---	---	-910,096	---



## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
<b>EDUCATION FOR THE DISADVANTAGED</b>					
Grants to Local Education Agencies (LEAs):					
Basic Grants					
Advance from prior year.....	(5,046,366)	(5,394,300)	(5,394,300)	(+347,934)	---
Forward funded.....	2,000,171	7,237,721	2,642,700	+642,529	-4,595,021
Current funded.....	3,500	---	---	-3,500	---
					D
Subtotal, Basic grants current year funding.	2,003,671	7,237,721	2,642,700	+639,029	-4,595,021
Basic Grants FY03 Advance.....	5,394,300	---	5,394,300	---	+5,394,300
					D
Subtotal, Basic grants, program level.....	7,397,971	7,237,721	8,037,000	+639,029	+799,279
Concentration Grants					
Advance from prior year.....	(1,158,397)	(1,364,000)	(1,364,000)	(+205,603)	---
Forward funded.....	750	1,364,000	320,000	+319,250	-1,044,000
FY03.....	1,364,000	---	1,364,000	---	+1,364,000
Targeted Grants .....	---	459,000	779,000	+779,000	+320,000
					D
Subtotal, Grants to LEAs.....	8,762,721	9,060,721	10,500,000	+1,737,279	+1,439,279
Capital Expenses for Private School Children.....	6,000	---	---	-6,000	---
					D
Even Start.....	250,000	250,000	260,000	+10,000	+10,000
					D
Reading First:					
State Grants.....	---	900,000	900,000	+900,000	---
					D
Early Reading First.....	---	75,000	75,000	+75,000	---
					D
Subtotal, reading first.....	---	975,000	975,000	+975,000	---
State agency programs:					
Migrant.....	380,000	380,000	410,000	+30,000	+30,000
					D
Neglected and Delinquent/High Risk Youth.....	46,000	46,000	46,000	---	---
					D
Evaluation.....	8,900	8,900	8,900	---	---
					D
Comprehensive School Reform Demonstration.....	210,000	260,000	310,000	+100,000	+50,000
					D
Total, ESEA.....	9,663,621	10,980,621	12,509,900	+2,846,279	+1,529,279

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Migrant education:					
High School Equivalency Program.....	20,000	20,000	23,000	+3,000	+3,000 D
College Assistance Migrant Program.....	10,000	10,000	15,000	+5,000	+5,000 D
Subtotal, migrant education.....	30,000	30,000	38,000	+8,000	+8,000
Total, Education for the disadvantaged.....	9,693,621	11,010,621	12,547,900	+2,854,279	+1,537,279
Current Year.....	(2,935,321)	(11,010,621)	(5,789,600)	(+2,854,279)	(-5,221,021)
FY03.....	(6,758,300)		(6,758,300)		(+6,758,300)
Subtotal, forward funded.....	(2,892,921)	(10,896,721)	(5,667,700)	(+2,774,779)	(-5,229,021)
IMPACT AID					
Basic Support Payments.....	882,000	882,000	982,500	+100,500	+100,500 D
Payments for Children with Disabilities.....	50,000	50,000	50,000	---	---
Facilities Maintenance (Sec. 8008).....	8,000	8,000	8,000	---	---
Construction (Sec. 8007).....	12,802	150,000	35,000	+22,198	-115,000 D
Payments for Federal Property (Sec. 8002).....	40,500	40,500	55,000	+14,500	+14,500 D
Total, Impact aid.....	993,302	1,130,500	1,130,500	+137,198	---

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## SCHOOL IMPROVEMENT PROGRAMS

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
State Grants for Improving Teacher Quality.....	---	2,600,000	1,830,000	+1,830,000	-770,000	D FF
FY03.....	---	---	1,345,000	+1,345,000	+1,345,000	D
Improving Teacher Quality, program level.....	---	2,600,000	3,175,000	+3,175,000	+575,000	
Transition to Teaching/Troops to Teachers.....	---	30,000	50,000	+50,000	+20,000	D
Eisenhower Professional Development.....	485,000	---	---	-485,000	---	D FF
National Programs.....	41,000	---	---	-41,000	---	D
Innovative Education (Education Block Grant).....	100,000	---	100,000	---	+100,000	D FF
Advance from prior year.....	(285,000)	(285,000)	(285,000)	---	---	NA
FY03.....	285,000	---	285,000	---	+285,000	D
Education Block Grant, program level.....	385,000	---	385,000	---	+385,000	
Class Size Reduction, current.....	473,000	---	---	-473,000	---	D FF
Advance from prior year.....	(900,000)	(1,150,000)	(1,150,000)	(+250,000)	---	NA
FY03.....	1,150,000	---	---	-1,150,000	---	D
Class Size Reduction, program level.....	1,623,000	---	---	-1,623,000	---	
School Renovation Grants.....	1,200,000	---	---	-1,200,000	---	D FF
Educational Technology State Grants (1).....	---	817,096	1,000,000	+1,000,000	+182,904	D
Ready to Learn/Ready to Teach (1).....	---	---	16,000	+16,000	+16,000	D
21st Century Community Learning Centers (1).....	845,614	845,614	1,000,000	+154,386	+154,386	D
Small, Safe, and Successful High Schools (1).....	125,000	---	200,000	+75,000	+200,000	D

(1) Funding for these activities was provided under the education reform account in FY 2001.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
Safe and Drug Free Schools:						
State Grants, current funded.....	109,250	547,612	197,250	+88,000	-350,362	D FF
Advance from prior year.....	(330,000)	(330,000)	(330,000)	---	---	NA
FY03.....	330,000	---	330,000	---	+330,000	D
State Grants, program level.....	439,250	547,612	527,250	+88,000	-20,362	
National Programs.....	155,000	96,638	117,000	-38,000	+20,362	D
Coordinator Initiative.....	50,000	---	---	-50,000	---	D
Subtotal, Safe and drug free schools.....	644,250	644,250	644,250	---	---	
Choice and Innovation State Grants.....	---	471,500	---	---	-471,500	D
Improvement of Education Achievement:						
State Assessments.....	---	320,000	400,000	+400,000	+80,000	D
Reform and Innovation Fund.....	---	40,000	---	---	-40,000	D
Subtotal, Improvement of Education Achievement..	---	360,000	400,000	+400,000	+40,000	
Inexpensive Book Distribution (RIF).....	23,000	---	23,000	---	+23,000	D
Arts in Education.....	28,000	---	30,000	+2,000	+30,000	D

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Other school improvement programs:					
Magnet Schools Assistance.....	110,000	110,000	110,000	---	---
Education for Homeless Children & Youth.....	35,000	35,000	50,000	+15,000	+15,000 D FF
Women's Educational Equity.....	3,000	---	3,000	---	+3,000 D
Training and Advisory Services (Civil Rights).....	7,334	7,334	7,334	---	---
Ellender Fellowships/Close Up.....	1,500	---	1,500	---	+1,500 D FF
Education for Native Hawaiians.....	28,000	28,000	28,000	---	---
Alaska Native Education Equity.....	15,000	15,000	15,000	---	---
Rural Education.....	---	---	200,000	+200,000	+200,000 D
Character Education (1).....	---	---	25,000	+25,000	+25,000 D
Mentoring Programs.....	---	---	30,000	+30,000	+30,000 D
Elementary School Counseling (2).....	---	---	30,000	+30,000	+30,000 D
Charter Schools Homestead Fund.....	---	175,000	---	---	-175,000 D
Charter Schools.....	190,000	200,000	200,000	+10,000	---
Subtotal, other school improvement programs.....	389,834	570,334	699,834	+310,000	+129,500
Comprehensive Regional Assistance Centers.....	28,000	28,000	28,000	---	---
Advanced Placement Fees.....	22,000	22,000	22,000	---	---
Total, School improvement programs.....	5,839,698	6,388,794	7,673,084	+1,833,386	+1,284,290
Current Year.....	(4,074,698)	(6,388,794)	(5,713,084)	(+1,638,386)	(-675,710)
FY03.....	(1,765,000)	---	(1,960,000)	(+195,000)	(+1,960,000)
Subtotal, forward funded.....	(2,403,750)	(3,182,612)	(2,178,750)	(-225,000)	(-1,003,862)

(1) The budget request included \$25 million for Character Education under the Reform and Innovation Fund.

(2) \$30 million was provided in the Fund for the Improvement of Education account in FY2001 for this activity.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
READING EXCELLENCE					
Reading Excellence Act.....	91,000	---	---	-91,000	---
Advance from prior year.....	(195,000)	(195,000)	(195,000)	---	NA
FY03.....	195,000	---	---	-195,000	---
Reading Excellence, program level.....	286,000	---	---	-286,000	---
INDIAN EDUCATION					
Grants to Local Educational Agencies.....	92,765	92,765	100,000	+7,235	+7,235
Federal Programs					
Special Programs for Indian Children.....	20,000	20,000	20,000	---	---
National Activities.....	2,735	3,235	3,235	+500	---
Subtotal.....	22,735	23,235	23,235	+500	---
Total, Indian Education.....	115,500	116,000	123,235	+7,735	+7,235
BILINGUAL AND IMMIGRANT EDUCATION					
Bilingual and Immigrant Education State Grants.....	---	460,000	700,000	+700,000	+240,000
Bilingual education:					
Instructional Services.....	180,000	---	---	-180,000	---
Support Services.....	16,000	---	---	-16,000	---
Professional Development.....	100,000	---	---	-100,000	---
Immigrant Education.....	150,000	---	---	-150,000	---
Foreign Language Assistance.....	14,000	---	---	-14,000	---
Total, Bilingual and Immigrant Education.....	460,000	460,000	700,000	+240,000	+240,000

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## SPECIAL EDUCATION

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
State grants:					
Grants to States Part B advance funded.....	5,072,000	---	5,072,000	---	+5,072,000 D
Part B advance from prior year.....	(3,742,000)	(5,072,000)	(5,072,000)	(+1,330,000)	--- NA
Grants to States Part B current year.....	1,267,685	7,339,685	2,642,685	+1,375,000	-4,697,000 D FF
Grants to States, program level.....	6,339,685	7,339,685	7,714,685	+1,375,000	+375,000
Preschool Grants.....	390,000	390,000	390,000	---	--- D FF
Grants for Infants and Families.....	383,567	383,567	430,000	+46,433	+46,433 D FF
Subtotal, State grants program level.....	7,113,252	8,113,252	8,534,685	+1,421,433	+421,433
IDEA National Activities (current funded):					
State Program Improvement Grants.....	49,200	49,200	54,200	+5,000	+5,000 D FF
Research and Innovation.....	77,353	70,000	70,000	-7,353	--- D
Technical Assistance and Dissemination.....	53,481	53,481	53,481	---	--- D
Personnel Preparation.....	81,952	81,952	90,000	+8,048	+8,048 D
Parent Information Centers.....	26,000	26,000	26,000	---	--- D
Technology and Media Services.....	37,210	31,710	31,710	-5,500	--- D
Public Telecom Info/Training Dissemination....	1,500	---	---	-1,500	--- D
Subtotal, IDEA special programs.....	326,696	312,343	325,391	-1,305	+13,048
Total, Special education.....	7,439,948	8,425,595	8,860,076	+1,420,128	+434,481
Current Year.....	(2,367,948)	(8,425,595)	(3,788,076)	(+1,420,128)	(-4,637,519)
FY03.....	(5,072,000)	---	(5,072,000)	---	(+5,072,000)
Subtotal, Forward funded.....	(2,090,452)	(8,162,452)	(3,516,885)	(+1,426,433)	(-4,645,567)



## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## REHABILITATION SERVICES AND DISABILITY RESEARCH

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Vocational Rehabilitation State Grants.....	2,399,790	2,481,383	2,481,383	+81,593	---
Client Assistance State grants.....	11,647	11,647	11,647	---	---
Training.....	39,629	39,629	39,629	---	---
Demonstration and training programs.....	21,092	16,492	16,492	-4,600	---
Migrant and seasonal farmworkers.....	2,350	2,350	2,350	---	---
Recreational programs.....	2,596	2,596	2,596	---	---
Protection and advocacy of individual rights (PAIR)...	14,000	14,000	16,000	+2,000	+2,000
Projects with industry.....	22,071	22,071	22,071	---	---
Supported employment State grants.....	38,152	38,152	38,152	---	---
Independent living: State grants.....	22,296	22,296	22,296	---	---
Centers.....	58,000	58,000	63,000	+5,000	+5,000
Services for older blind individuals.....	20,000	20,000	25,000	+5,000	+5,000
Subtotal, Independent living.....	100,296	100,296	110,296	+10,000	+10,000
Program Improvement.....	1,900	900	900	-1,000	---
Evaluation.....	1,587	1,000	1,000	-587	---
Helen Keller National Center for Deaf/Blind.....	8,717	8,717	8,717	---	---
National Institute for Disability and Rehabilitation Research (NIDRR).....	100,400	110,000	110,000	+9,600	---
Assistive Technology.....	41,112	60,884	60,884	+19,772	---
Access to Telework Fund.....	---	20,000	20,000	+20,000	---
Subtotal, discretionary programs.....	405,549	448,734	460,734	+55,185	+12,000
Total, Rehabilitation services.....	2,805,339	2,930,117	2,942,117	+136,778	+12,000

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES					
AMERICAN PRINTING HOUSE FOR THE BLIND.....	12,000	12,000	13,000	+1,000	+1,000 D
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF Operations.....	48,000	48,000	50,000	+2,000	+2,000 D
Construction.....	5,376	4,570	5,376	---	+806 D
Total.....	53,376	52,570	55,376	+2,806	-----
GALLAUDET UNIVERSITY Operations.....	89,400	89,400	95,600	+6,200	+6,200 D
Total, Special institutions.....	154,776	153,970	163,976	+9,200	+10,006
VOCATIONAL AND ADULT EDUCATION					
Vocational education:					
Basic State Grants, current funded.....	309,000	1,100,000	441,250	+132,250	-658,750 D FF
Advance from prior year.....	(791,000)	(791,000)	(791,000)	---	--- NA
FY03.....	791,000	---	808,750	+17,750	+808,750 D
Basic State Grants, program level.....	1,100,000	1,100,000	1,250,000	+150,000	+150,000
Tech-Prep Education.....	106,000	106,000	110,000	+4,000	+4,000 D FF
Tribally Controlled Postsecondary Vocational Institutions.....	5,600	5,600	6,000	+400	+400 D
National Programs.....	17,500	12,000	12,000	-5,500	--- D FF
Tech-Prep Education Demonstration.....	5,000	---	---	-5,000	--- D FF
Occupational and Employment Information Program...	9,000	---	---	-9,000	--- D FF
Subtotal, Vocational education.....	1,243,100	1,223,600	1,378,000	+134,900	+154,400

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
Adult education:						
State Grants, current funded.....	540,000	540,000	595,000	+55,000	+55,000	D FF
National programs:						
National Leadership Activities.....	14,000	9,500	9,500	-4,500	---	D FF
National Institute for Literacy.....	6,500	6,560	6,560	+60	---	D FF
Subtotal, National programs.....	20,500	16,060	16,060	-4,440	---	
Subtotal, Adult education.....	560,500	556,060	611,060	+50,560	+55,000	
State Grants for Incarcerated Youth Offenders.....	22,000	22,000	17,000	-5,000	-5,000	D FF
Total, Vocational and adult education.....	1,825,600	1,801,660	2,006,060	+180,460	+204,400	
Current Year.....	(1,034,600)	(1,801,660)	(1,197,310)	(+162,710)	(-604,350)	
FY03.....	(791,000)	---	(808,750)	(+17,750)	(+808,750)	
Subtotal, forward funded.....	(1,029,000)	(1,796,060)	(1,191,310)	(+162,310)	(-604,750)	

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## STUDENT FINANCIAL ASSISTANCE

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	FY 2001 Comparable	FY 2002 Request	Bill compared with FY 2001 Comparable	FY 2002 Request
Pell Grants -- maximum grant (NA).....	(3,750)	(3,850)	(4,000)	(+250)	(+150)	NA	
Pell Grants -- Regular Program.....	8,756,000	9,756,000	10,458,100	+1,702,100	+702,100	D	
Federal Supplemental Educational Opportunity Grants....	691,000	691,000	725,000	+34,000	+34,000	D	
Federal Work Study.....	1,011,000	1,011,000	1,011,000	---	---	D	
Federal Perkins loans: Capital Contributions.....	100,000	100,000	100,000	---	---	D	
Loan Cancellations.....	60,000	60,000	60,000	---	---	D	
Subtotal, Federal Perkins loans.....	160,000	160,000	160,000	---	---		
LEAP program.....	55,000	55,000	55,000	---	---	D	
Loan Forgiveness for Child Care.....	1,000	1,000	1,000	---	---	D	
Total, Student financial assistance.....	10,674,000	11,674,000	12,410,100	+1,736,100	+736,100		
FEDERAL FAMILY EDUCATION LOAN PROGRAM							
Federal Administration.....	48,000	49,636	49,636	+1,636	---	D	

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
<b>HIGHER EDUCATION</b>					
Aid for institutional development:					
Strengthening Institutions.....	73,000	73,000	73,000	---	D
Hispanic Serving Institutions.....	68,500	72,500	81,500	+13,000	+9,000 D
Strengthening Historically Black Colleges (HBCUs).....	185,000	197,000	215,000	+30,000	+18,000 D
Strengthening historically black graduate instns....	45,000	48,000	50,000	+5,000	+2,000 D
Strengthening Alaska / Native Hawaiian Instit.....	6,000	6,000	6,000	---	---
Strengthening Tribal Colleges.....	15,000	15,000	17,000	+2,000	+2,000 D
Subtotal, Institutional development.....	392,500	411,500	442,500	+50,000	+31,000
Program development:					
Fund for the Improvement of Postsec. Ed. (FIPSE)...	146,687	51,200	52,400	-94,287	+1,200 D
Minority Science and Engineering Improvement.....	8,500	8,500	8,500	---	---
International education and foreign language:					
Domestic Programs.....	67,000	67,000	80,000	+13,000	+13,000 D
Overseas Programs.....	10,000	10,000	11,500	+1,500	+1,500 D
Institute for International Public Policy.....	1,022	1,022	1,500	+478	+478 D
Subtotal, International education.....	78,022	78,022	93,000	+14,978	+14,978
Interest Subsidy Grants.....	10,000	5,000	5,000	-5,000	---
Federal TRIO Programs.....	730,000	780,000	800,000	+70,000	+20,000 D
GEAR UP.....	295,000	227,000	285,000	-10,000	+58,000 D
Byrd Honors Scholarships.....	41,001	41,001	41,001	---	---
Javits Fellowships.....	10,000	10,000	10,000	---	---
Graduate Assistance in Areas of National Need.....	31,000	31,000	31,000	---	---
Learning Anytime Anywhere Partnerships.....	30,000	---	---	-30,000	---
Teacher Quality Enhancement Grants.....	98,000	54,000	100,000	+2,000	+46,000 D
Child Care Access Means Parents in School.....	25,000	25,000	25,000	---	---
Demonstration in Disabilities / Higher Education.....	6,000	---	6,000	---	+6,000 D
Underground Railroad Program.....	1,750	---	1,750	---	+1,750 D

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
WEB Based Education Commission.....	250	---	---	-250	---
GPRA data/HEA program evaluation.....	3,000	1,000	1,000	-2,000	---
Thurgood Marshall Scholarships.....	4,000	---	5,000	+1,000	+5,000
Olympic Scholarships.....	1,000	---	1,000	---	+1,000
	=====	=====	=====	=====	=====
Total, Higher education.....	1,911,710	1,723,223	1,908,151	-3,559	+184,928
HOWARD UNIVERSITY					
Academic Program.....	198,500	198,500	208,500	+10,000	+10,000
Endowment Program.....	3,600	3,600	3,600	---	---
Howard University Hospital.....	30,374	30,374	30,374	---	---
	=====	=====	=====	=====	=====
Total, Howard University.....	232,474	232,474	242,474	+10,000	+10,000
COLLEGE HOUSING & ACADEMIC FACILITIES LOANS PROGRAM:					
Federal Administration.....	762	762	762	---	---
HISTORICALLY BLACK COLLEGE AND UNIVERSITY					
CAPITAL FINANCING, PROGRAM ACCOUNT					
Federal Administration.....	208	208	208	---	---

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

Research and statistics:					
Research.....	120,567	123,067	147,567	+27,000	+24,500 D
Regional Educational Laboratories.....	65,000	65,000	70,000	+5,000	+5,000 D
Statistics.....	80,000	85,000	85,000	+5,000	--- D
Assessment:					
National Assessment.....	36,000	105,000	107,500	+71,500	+2,500 D
National Assessment Governing Board.....	4,000	4,053	4,053	+53	--- D
Subtotal, Assessment.....	40,000	109,053	111,553	+71,553	+2,500
Subtotal, Research and statistics.....	305,567	382,120	414,120	+108,553	+32,000
Fund for the Improvement of Education.....	338,781	---	---	-338,781	--- D
International Education Exchange.....	10,000	---	---	-10,000	--- D
Civic Education.....	12,000	---	12,000	---	+12,000 D
Eisenhower Professional Dvp. Federal Activities.....	23,300	---	---	-23,300	--- D
Eisenhower Regional Math & Science Ed. Consortia.....	15,000	---	---	-15,000	--- D
Javits Gifted and Talented Education.....	7,500	---	7,500	---	+7,500 D
National Writing Project.....	10,000	---	12,000	+2,000	+12,000 D
Total, ERSI.....	722,148	382,120	445,620	-276,528	+63,500



49

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
DEPARTMENTAL MANAGEMENT						
PROGRAM ADMINISTRATION.....	412,196	424,212	427,212	+15,016	+3,000	D
OFFICE FOR CIVIL RIGHTS.....	75,822	79,934	79,934	+4,112	---	D
OFFICE OF THE INSPECTOR GENERAL.....	36,411	38,720	38,720	+2,309	---	D
Total, Departmental management.....	524,429	542,866	545,866	+21,437	+3,000	
	=====	=====	=====	=====	=====	
Total, Department of Education.....	44,637,611	47,022,546	51,749,765	+7,112,154	+4,727,219	
Current Year.....	(30,056,311)	(47,022,546)	(37,150,715)	(+7,094,404)	(-9,871,831)	
FY03.....	(14,581,300)	---	(14,599,050)	(+17,750)	(+14,599,050)	

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
TITLE IV - RELATED AGENCIES					
ARMED FORCES RETIREMENT HOME					
Operations and Maintenance.....	60,000	61,628	61,628	+1,628	---
Capital Program.....	9,832	9,812	9,812	-20	---
Total, AFRH.....	69,832	71,440	71,440	+1,608	---
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (1)					
Domestic Volunteer Service Programs: Volunteers in Service to America (VISTA).....	83,074	82,074	83,074	---	+1,000
National Senior Volunteer Corps: Foster Grandparents Program.....	98,868	102,868	109,468	+10,600	+6,600
Senior Companion Program.....	40,395	44,395	44,395	+4,000	---
Retired Senior Volunteer Program.....	48,884	54,884	54,884	+6,000	---
Senior Demonstration Program.....	400	400	400	---	---
Subtotal, Senior Volunteers.....	188,547	202,547	209,147	+20,600	+6,600
Program Administration.....	32,229	32,229	32,229	---	---
Total, Domestic Volunteer Service Programs.....	303,850	316,850	324,450	+20,600	+7,600

(1) Appropriations for Americorps are provided in the VA-HUD bill.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
CORPORATION FOR PUBLIC BROADCASTING: FY04 (current request) with FY03 comparable.....	365,000	---	365,000	---	+365,000 D
FY03 advance with FY02 comparable (NA).....	(350,000)	(365,000)	(365,000)	(+15,000)	--- NA
FY02 advance with FY01 comparable (NA).....	(340,000)	(350,000)	(350,000)	(+10,000)	--- NA
Digitalization program (1).....	20,000	20,000	25,000	+5,000	+5,000 D
Subtotal, FY02 appropriation.....	(360,000)	(370,000)	(375,000)	(+15,000)	(+5,000)
FEDERAL MEDIATION AND CONCILIATION SERVICE.....	38,200	39,482	39,482	+1,282	--- D
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.....	6,320	6,939	6,939	+619	--- D
INSTITUTE OF MUSEUM AND LIBRARY SERVICES.....	207,469	168,078	168,078	-39,391	--- D
MEDICARE PAYMENT ADVISORY COMMISSION.....	8,000	8,000	8,000	---	--- Tf
NATIONAL COMMISSION ON LIBRARIES AND INFO SCIENCE.....	1,495	---	1,000	-495	+1,000 D
NATIONAL COUNCIL ON DISABILITY.....	2,615	2,830	2,830	+215	--- D
NATIONAL EDUCATION GOALS PANEL.....	1,500	2,000	---	-1,500	-2,000 D
NATIONAL LABOR RELATIONS BOARD.....	216,438	221,438	221,438	+5,000	--- D
NATIONAL MEDIATION BOARD.....	10,400	10,635	10,635	+235	--- D
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.....	8,720	8,964	8,964	+244	--- D

(1) Current funded.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
RAILROAD RETIREMENT BOARD					
Dual Benefits Payments Account.....	160,000	146,000	146,000	-14,000	---
Less Income Tax Receipts on Dual Benefits.....	-10,000	-9,000	-9,000	+1,000	---
Subtotal, Dual Benefits.....	150,000	137,000	137,000	-13,000	---
Federal Payment to the RR Retirement Account.....	150	150	150	---	---
Limitation on administration.....	95,000	97,700	97,700	+2,700	---
Inspector General.....	5,700	6,480	6,042	+342	-438
					TF
SOCIAL SECURITY ADMINISTRATION					
Payments to Social Security Trust Funds.....	20,400	434,400	434,400	+414,000	---
					M
SPECIAL BENEFITS FOR DISABLED COAL MINERS					
Benefit payments.....	484,078	440,931	440,931	-43,147	---
Administration.....	5,670	5,909	5,909	+239	---
Subtotal, Black Lung, current year program level	489,748	446,840	446,840	-42,908	---
Less funds advanced in prior year.....	-124,000	-114,000	-114,000	+10,000	---
					M
Total, Black Lung, current request.....	365,748	332,840	332,840	-32,908	---
New advances, 1st quarter FY03.....	114,000	108,000	108,000	-6,000	---
					M

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
SUPPLEMENTAL SECURITY INCOME					
Federal benefit payments.....	30,483,000	29,046,000	29,046,000	-1,437,000	---
Beneficiary services.....	71,000	37,412	37,412	-33,588	---
Research and demonstration.....	30,000	30,000	30,000	---	---
Administration.....	2,349,000	2,627,000	2,627,000	+278,000	---
Subtotal, SSI current year program level.....	32,933,000	31,740,412	31,740,412	-1,192,588	---
Less funds advanced in prior year.....	-9,890,000	-10,470,000	-10,470,000	-580,000	---
Subtotal, regular SSI current year (2001/2002).	23,043,000	21,270,412	21,270,412	-1,772,588	---
Additional CDR funding (1).....	210,000	200,000	200,000	-10,000	---
User Fee Activities.....	91,000	100,000	100,000	+9,000	---
Total, SSI, current request.....	23,344,000	21,570,412	21,570,412	-1,773,588	---
New advance, 1st quarter, FY03.....	10,470,000	10,790,000	10,790,000	+320,000	---

(1) Two year availability.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

## LIMITATION ON ADMINISTRATIVE EXPENSES

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request	
OASDI Trust Funds.....	3,138,200	3,212,200	3,212,200	+74,000	---	TF
HI/SMI Trust Funds.....	1,094,000	1,194,000	1,194,000	+100,000	---	TF
Social Security Advisory Board.....	1,800	1,800	1,800	---	---	TF
SSI.....	2,349,000	2,627,000	2,627,000	+278,000	---	TF
Subtotal, regular LAE.....	6,583,000	7,035,000	7,035,000	+452,000	---	
User Fee Activities (SSI).....	91,000	100,000	100,000	+9,000	---	TF
TOTAL, REGULAR LAE.....	6,674,000	7,135,000	7,135,000	+461,000	---	
Additional CDR funding (1) OASDI.....	240,000	233,000	233,000	-7,000	---	TF
SSI.....	210,000	200,000	200,000	-10,000	---	TF
Subtotal, CDR funding.....	450,000	433,000	433,000	-17,000	---	
TOTAL, LAE.....	7,124,000	7,568,000	7,568,000	+444,000	---	

(1) Two year availability.

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
OFFICE OF INSPECTOR GENERAL					
Federal Funds.....	16,944	19,000	19,000	+2,056	---
Trust Funds.....	52,500	56,000	56,000	+3,500	---
Total, Office of the Inspector General.....	69,444	75,000	75,000	+5,556	---
Adjustment: Trust fund transfers from general revenues	-2,650,000	-2,927,000	-2,927,000	-277,000	---
Total, Social Security Administration.....	38,857,592	37,951,652	37,951,652	-905,940	---
Federal funds.....	34,331,092	33,254,652	33,254,652	-1,076,440	---
Current year.....	(23,747,092)	(22,356,652)	(22,356,652)	(-1,390,440)	---
New advances, 1st quarter.....	(10,584,000)	(10,898,000)	(10,898,000)	(+314,000)	---
Trust funds.....	4,526,500	4,697,000	4,697,000	+170,500	---
UNITED STATES INSTITUTE OF PEACE.....					
	15,000	15,207	15,000	---	-207
Total, Title IV, Related Agencies.....	40,383,281	39,084,845	39,460,800	-922,481	+375,955
Federal Funds.....	35,748,081	34,275,665	34,652,058	-1,096,023	+376,393
Current Year.....	(24,799,081)	(23,377,665)	(23,389,058)	(-1,410,023)	(+11,393)
FY03.....	(10,584,000)	(10,898,000)	(10,898,000)	(+314,000)	---
FY04.....	(365,000)	---	(365,000)	---	(+365,000)
Trust Funds.....	4,635,200	4,809,180	4,808,742	+173,542	-438

## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
SUMMARY					
Grand bill total.....	364,973,854	399,709,442	406,818,551	+41,844,697	+7,109,109
Federal Funds .....	354,576,300	388,979,617	396,079,126	+41,502,826	+7,099,509
Current year.....	(286,635,699)	(328,625,680)	(317,563,139)	(+30,927,440)	(-11,062,541)
Advance Year, FY03.....	(68,001,751)	(60,353,937)	(78,450,987)	(+10,449,236)	(+18,097,050)
Advance Year, FY04.....	(365,000)	---	(365,000)	---	(+365,000)
Trust Funds.....	10,397,554	10,729,825	10,739,425	+341,871	+9,600
BUDGET ENFORCEMENT ACT RECAP					
Mandatory, total in bill.....	255,313,074	283,380,686	283,320,801	+28,007,727	-59,885
Less advances for subsequent years.....	-49,527,451	-60,353,937	-60,353,937	-10,826,486	---
Plus advances provided in prior years.....	42,791,003	49,527,451	49,527,451	+6,736,448	---
Subtotal, mandatory.....	248,576,626	272,554,200	272,494,315	+23,917,689	-59,885



## LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES (\$000)

	FY 2001 Comparable	FY 2002 Request	Recommended in bill	Bill compared with FY 2001 Comparable	FY 2002 Request
Discretionary, total in bill.....	109,660,780	116,328,756	123,497,750	+13,836,970	+7,168,994
Less advances for subsequent years.....	-18,839,300	---	-18,462,050	+377,250	-18,462,050
Plus advances provided in prior years.....	18,953,435	18,824,300	18,824,300	-129,135	---
Scorekeeping adjustments:					
Adjustment to balance with 2001 bill.....	-2,061	---	---	+2,061	---
Adjustment for leg cap on Title XX SSBGs.....	---	---	---	---	---
SSA User Fee Collection.....	-91,000	-100,000	-100,000	-9,000	---
Sec. 515 - SSA User Fee Collection.....	-10,000	---	---	+10,000	---
Title XX.....	25,000	---	---	-25,000	---
TANF Transfer.....	---	---	---	---	---
SSA State Reimbursement.....	-295,000	---	---	+295,000	---
Welfare to work and child support.....	-50,000	---	---	+50,000	---
Health care fraud and abuse limitation.....	---	---	-35,000	-35,000	-35,000
Title VI - Mark-to-Market.....	---	---	-354,000	-354,000	-354,000
Total, discretionary, current year.....	109,351,854	135,053,056	123,371,000	+14,019,146	-11,682,056
Grand total, current year.....	357,928,480	407,607,256	395,865,315	+37,936,835	-11,741,941

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 11 minutes.

Mr. Chairman, Jim Dyer, Craig Higgins, Carol Murphy, Meg Synder, Susan Firth, Nicole Wheeler, Francine Mack-Salvador, Lori Rowley, David Reich, Cheryl Smith, Linda Pagelson, Lin Liu, David Pomerantz, Scott Lilly, Bob Bonner, Melody Clark, Christina Hamilton, Norm Suchar, Dayle Lewis, Scott Boule, Kristin Holman, Charles Dujon, Matt Braunstein, Chris Kukla and the associate staff on the majority side: What do all of those names have in common? They are the people who really put together this bill. Every Member of the House will have an opportunity to vote on this bill, and I think we can do that proudly, because I think it is a good bill. But the people who worked just as hard and, in fact, probably harder and the people who worked out many of the compromises that were needed to produce a bill which is truly a bipartisan bill were the people whom I just named. I want to express my appreciation to each and every one of them, because without them, we would not be able to deliver what we are delivering to the American people here today.

In my view, Mr. Chairman, this bill ought to be named the Family Opportunity and Health Security Act of 2001, because this bill, more than any other bill that we deal with, provides opportunity for average working families to share in the goodness that this society provides. And it also provides for the improvement of the health of every single American and, in fact, probably every single person in the world who is within the reach of any kind of civilized medicine. I think we ought to be very proud of that.

This is the second bipartisan bill that we have had on labor, health and education and social services in the last 7 years, and I hope that it is going to be the first of a long series of bipartisan bills in the future. This bill is the place that you go to measure congressional commitment to equal opportunity in education, to worker protection, worker fairness at the bargaining table. It is the place you go to see what our society will do to help those who are unlucky enough to be without health care or who have special problems in the health care area and need special help. It is the place where virtually every family goes to obtain advances in medical care. And it is the place where many people in this society go who live life on the underside to find some help and some relief from the pain and pressure of their daily problems. And I would say it is also the place where we go if we want to have some measure of the determination that is being applied, the human ingenuity that is being applied, in order to unlock the scientific mysteries of disease and its

treatment and to protect public health. And each and every Member of this House can be proud to vote for this bill.

The bill is \$12 billion over last year and I make an apology for absolutely not one dollar. I wish it had been more, because the families in this country who are serviced by this bill need more help than this bill will provide. The bill is \$7 billion above the President, and I am pleased about that.

In the area of education, for the past 5 years this Congress has produced an education bill which provides about a 13 percent increase on average. The President's budget this year initially recommended that that increase be cut to 5.8 percent. This bill provides a 17 percent increase in funding for education. There is no more important long-term investment that we can make than that one.

In the area of education, special education, Mr. Chairman, is the third largest item in this bill. It is funded at \$375 million above the President's recommendation. We have \$7.7 billion in the bill. In 2 years we will have increased the Federal share of the cost of providing special education by 50 percent, and I hope we can increase it by 50 percent again in the next 2 years.

Title I is the main program that we use to try to provide extra educational help to the children who need it most, disadvantaged children who are at risk of dropping out and never making it, either in school or in society. This bill provides \$10.5 billion, \$1.4 billion over the President's request, \$1.7 billion over last year. This is the largest increase in that program in the history of the program.

Pell Grants. That is the main program by which we assist average working-class families in this country to send their kids to college. It is a real door-opener to higher education opportunity. We provide in this bill a \$4,000 maximum grant for those who qualify, \$150 over the President's request, \$250 over last year. Every dollar is well spent and will be well received by the American people.

The block grant for teacher training and class size reduction, \$1 billion over last year and \$575 million over the budget recommendation.

After-school centers, \$154 million above the request. That program is in demand more than almost any I know in this bill, because as families' lifestyles have changed, so have their needs to see to it that their children at all times will be in healthy, wholesome places. There is no more treacherous time for children from the age of 12 to 15 than the after-school hours. That is when most of the juvenile crime is committed in this country and that is when we need the most supervision of kids, and this program, I hope, will be an ever-expanding program to help provide that supervision.

In the area of health care, we are \$1.3 billion above the President, \$3.4 billion

above last year. Community health centers, we are \$26 million above the President. That has also been a high priority item for the President himself. For Healthy Start, we are \$102 million in this bill, \$12 million again above the budget request.

Centers for Disease Control, crucial in these times when we are concerned about public health, when we see the anthrax concerns in Florida, we are \$265 million above last year, \$430 million above the President's request. For bioterrorism, we have a 28 percent increase above last year and the President's budget and in a follow-on appropriation bill we will have substantially more money than we have in this bill for that same item.

Mental health, \$68 million above the President. There ought to be more. We have serious problems that are not being met in that area.

Human services. The Low-Income Heating Assistance Program that helps keep low-income senior citizens warm in the wintertime so they do not have to choose between heating and eating, \$300 million above the President's request. I wish it could be more. Head Start, \$276 million above last year.

In the area of the Labor Department, all of the personnel cuts in OSHA and Mine Safety have been eliminated. And we have added what I consider to be all too modest increases in other worker protection accounts. The international labor program that helps defend our workers and our country from the production of goods and services by slave labor and child labor abroad, we have restored fully the cuts that were recommended in the White House budget.

Title VI, foreign language studies. As I said in Committee, when the Russians invaded Afghanistan a number of years ago, we did not have enough language specialists to respond in the correct language. So our information services responded in Farsi. That did not help anybody in Afghanistan. They may have understood it in Iran, but they did not understand it in Afghanistan. We missed the target a little bit. Since then, what has happened in that area? Almost nothing. That is why we have a 19 percent increase in this bill. As you know, we also had an increase in another bill for the same item that passed this House last week.

All in all, this bill is far from perfect. I think given the needs of our society, we need more in education, in health care and in worker protection, but this is a very good bill given the circumstances in which we found ourselves in January. I very much appreciate the efforts made by the majority to make this a bipartisan bill. I very much appreciate the professionalism with which this bill has been approached by the gentleman from Ohio (Mr. REGULA), the distinguished subcommittee chairman, and also the distinguished gentleman from Florida

(Mr. YOUNG). He and I have many, many political differences. We do not have very many personal differences. We have disagreed many times but we have dealt with each other, I think, in a straight-shooting way. And I appreciate the fact that after some concern on this bill, we have brought a bill to this floor today under the rules of the House which treats everyone fairly and respectfully. And I think because of that, we are going to see a very large vote for this bill on both sides of the aisle.

Mr. Chairman, I reserve the balance of my time.

Mr. REGULA. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. YOUNG), the chairman of the full committee. Again I want to emphasize how much help he and the gentleman from Wisconsin (Mr. OBEY) in his role as ranking on the full committee have provided to us to make this bill the success that I think it is.

Mr. YOUNG of Florida. Mr. Chairman, I rise to support this very good appropriations bill for our educational systems, for our health systems, for our labor programs and all of the associated programs represented by this bill. I want to add my compliments to Chairman REGULA. For years, Chairman REGULA chaired the Subcommittee on the Interior and did an outstanding job. This is his first time to chair this very important subcommittee, and he and Ranking Member OBEY have presented a bill that I think we can all be very, very proud of. The gentleman from Ohio (Mr. REGULA) and the gentleman from Wisconsin (Mr. OBEY) have explained much of the detail of the bill and I am not going to reiterate that.

I would like our Members to know that they might be a little surprised to see the bipartisanship in this debate today, but it was nearly 4 months ago that Chairman REGULA, Ranking Member OBEY and I sat together and decided that we really ought to make this a good bill that represents the needs of America rather than anyone's political agenda. That is what we have done and that is what we present to you today. This is the second largest appropriations bill of our 13 regular bills, the first being national defense.

□ 1400

Each one equally is important. National defense and the defense appropriations provide what is needed to secure America; this bill provides what is needed to secure the people of America in their personal needs, their health needs, their educational needs. The subcommittee has done a really great job in bringing this bill before us.

I wanted to compliment the gentleman from Pennsylvania (Ms. HART). I listened attentively to her comments earlier today. She discussed an impor-

tant issue. But I really appreciate and thank her for the statesmanlike way that she addressed not only the issue, but the way she addressed the legislative process. I think she is to be complimented for the way she has handled herself on this particular issue.

It was important today to get this bill completed. It is the next to the last of the regular appropriations bills. The next one and the last one will be National Defense.

Then we change direction and go to the conference reports. We plan today to have the first conference report of a regular bill, the Interior bill, on the floor; and we will move quickly to conferring all of the other bills that have been passed by both the House and the Senate. And hopefully our Members can look forward to early dismissal on the part of appropriations bills.

We will also be required to do another continuing resolution for approximately 1 week, which hopefully again we will do that this afternoon as well.

With that, I would just like to again compliment the gentleman from Ohio (Mr. REGULA) for an outstanding job, the gentleman from Wisconsin (Mr. OBEY) for an outstanding job, and all the members of the subcommittee and the staff on both sides of the political aisle for producing a good bill for Americans, one we can all be proud of.

Mr. OBEY. Mr. Chairman, I yield 6 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the ranking member for yielding me time.

Mr. Chairman, I want to rise initially, as I said in full committee, I have had the opportunity to serve on this subcommittee now for 18 years. It has been led by some extraordinary Americans on both sides of the aisle. I started my service under Mr. Natcher. Bill Natcher of Kentucky was a legend in this institution. During the course of his service, he cast more consecutive votes than any person in history, a compliment to his sense of responsibility and his extraordinary self discipline. Succeeding him was Mr. Smith, and then the gentleman from Wisconsin (Mr. OBEY), and then Mr. Porter. When the Republicans took control in 1995, John Porter succeeded to the chairmanship, and he did an extraordinary job in a bipartisan fashion.

This bill, however, was not always treated in a bipartisan fashion, as we know, not, frankly, because of the appropriators or the chairman of the Committee on Appropriations, but because of the extrinsic forces that came on to the committee with reference to caps on spending that were totally unrealistic and therefore led to either the bill being considered in a partisan fashion or, in fact, 1 year not being considered at all on the floor of the House

and ultimately being considered in an omnibus appropriations bill.

But this year, this is a real bill; and it is a good bill. It is not a perfect bill. In fact, of course, we never pass perfect bills. But this bill is unique. It is in so many ways the people's bill, because it affects literally millions and millions, not only of Americans, but people around the world, who benefit from the research at NIH and who benefit from other facets of this legislation. But clearly the American people are advantaged by this bill.

The gentleman from Wisconsin (Mr. OBEY) is absolutely correct when he says there are insufficient resources in this bill. When you sit in markup on both sides of the aisle, liberals, conservatives, East, West, North and South, Members say there needs to be more in this program or that program. I am going to speak about a couple of them briefly.

But this basically is a good bill; and I will support it, as the gentleman from Wisconsin (Mr. OBEY) is going to support it.

I want to again say, as I do almost every time I stand, because I think it is important for the American public to know the kind of leadership we have on critically important committees, the gentleman from Florida (Mr. YOUNG) is the epitome of fairness, integrity and bipartisanship. His view is on America's well-being, not on partisan gain. Those of us who serve with him are advantaged by doing so. I thank him for his leadership.

The good news for our subcommittee is that the gentleman from Ohio (Mr. REGULA) falls into the same category of a person focused on America, on Americans, and the country's interests, not on partisan interests. Therefore, this advantages this bill and our country.

Now, Mr. Chairman, let me mention a couple of issues, if I might, that I am very concerned about. The National Immunization Program at CDC receives a significant increase in this bill; and I thank the chairman of the subcommittee for that, an increase of \$47.5 million over fiscal year 2001. But that is still only half the level that the Institute of Medicine recommended in its report last year for State operations and infrastructure and vaccine purchase.

As the recent report on anthrax in Florida has proven to us, the threat of a biological attack on this Nation is a very real one. I just got off the phone doing a tape for radio with reference to yesterday's incident on a Metro train. As a result, we need to do all we can to ensure that our public health system is able to respond in the event of attack.

I will say more about this when we mark up in conference. I know that there will be some emergency monies available for this objective as well at CDC.



My understanding is the Senator from Georgia, Mr. CLELAND, has suggested as much as a half a billion dollars increase in CDC to anticipate and deal with appropriate response in the event of a biological or chemical threat to the health of a city, a region, or our country.

Let me discuss one additional issue, Mr. Chairman, briefly; and that is the Assistive Technology Act of 1989. I bring that up not because we will add more money to this bill for that objective, but because I am hoping in conference we can add some authorizing legislation. Obviously it must be done with agreement of the authorizers, both in the House and Senate. I understand that, and we are working with them.

But if we fail to do so, nine States are going to lose assistance to make assistive technology available to those with disabilities so that they can be more able to participate fully in our society, whether it is jobs or in their home. I appreciate the chairman's concern about this and that he is working with us; and I appreciate the assistance of the ranking member, the gentleman from Wisconsin (Mr. OBEY), with this effort as well.

If we do not do something next year, nine States in 2002 will lose dollars; and 14 States will lose dollars in 2003 if we do not take action. I am hopeful we will do so, because this assistive technology is extraordinarily important to those challenged with disabilities to be fully incorporated into our society. That was the promise of the Americans With Disabilities Act which President Bush signed on July 26, 1990; and it is an effort that we ought to make to ensure that that promise is fully met.

Again, I thank the chairman of the full committee; and I thank the chairman of the subcommittee and our ranking member for working so diligently to make this bill within the resources available to us the best it could possibly be.

Mr. REGULA. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. BOEHNER), one of the pride and joys of Ohio, our chairman of the Committee on Education and the Workforce, who has done an outstanding job of providing reforms that will make sure that no child is left behind.

Mr. BOEHNER. Mr. Chairman, let me thank my colleague from Ohio for yielding and begin by congratulating the gentleman from Ohio (Mr. REGULA) and the gentleman from Wisconsin (Mr. OBEY), the gentleman from Florida (Mr. YOUNG), and others who have worked so diligently over the last several months in putting together what truly is a bipartisan bill that we have on the floor today. All of us who have been here for any length of time know the difficulty this bill endures every year, and it is a real tribute to the three of you and the others involved in bringing this bill together.

Like the House-passed education reform bill that preceded it, the bipartisan bill that we have on the floor today by our appropriations colleagues represents a reasonable and necessary compromise between Republicans and Democrats on education spending levels.

The gentleman from Ohio (Chairman REGULA) and the gentleman from Wisconsin (Mr. OBEY) deserve great credit for their work, which follows H.R. 1 closely and paves the way for reforms that will improve public education for millions of American children. Like H.R. 1, it calls for more funding to implement long overdue education reforms. Like H.R. 1, it targets funding toward key programs, such as title I, to reflect the Federal Government's original mission in education, and that is helping those students who need the help the most.

It increases title I from the current \$8.6 billion per year to \$10.5 billion, a down payment on our shared goal of closing the achievement gap between disadvantaged students and their peers.

It triples funding for reading programs to \$900 million to implement the President's Reading First initiative and helps schools implement programs based on scientific research.

It increases funding for teachers program by \$1 billion a year to implement and make sure that States and schools can put the best-qualified teachers in each of our classrooms.

It increases bilingual education from \$460 million a year to \$700 million a year.

It increases funding for Individuals With Disabilities Education Act (Part B) by \$1.4 billion over last year's number. We should all recognize that the increases that we have given to IDEA over the last 6 years have more than doubled funding for students with disabilities; and this increase that we have in this bill, I think, is a giant step forward in meeting our long-term obligation.

The bill also increases Pell Grants by \$1.7 billion over last year's level and increases the maximum award granted to \$4,000 per student. In a time of a slow economy, this \$4,000 in Pell Grants will help the neediest of our high school graduates get the kind of education and training they need.

These funding increases should be complemented by the enactment of historic reforms that are at the core of the President's education plan. The new accountability that we see in the President's package will help us stem what has been going on in this town for a long time. New increases without accountability will simply amount to business as usual in Federal education policy, prolonging the status quo that Republicans and Democrats have pledged to jointly bring to an end.

Thirty-five years of mediocrity have taught us that money alone will not

close the achievement gap between disadvantaged students and their peers. The House-Senate Education conference will continue working to ensure that these significant funding increases are targeted toward children who need the most help, instead of toward new bureaucracy. They must be used to strengthen existing programs, such as title I, so that disadvantaged students are served, rather than to create new unproven programs that really do not address the primary goal.

So I think we have a bill on the floor that mirrors H.R. 1. We expect our conference to be completed in the next several weeks. That and the completion of this bill, I think, will start us on a path where we can make sure that no child in America is left behind.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. EVANS), the ranking minority member on the Committee on Veterans' Affairs.

Mr. EVANS. Mr. Chairman, I would like to start off by taking a moment to personally thank the members of the Committee on Appropriations for the inclusion of increased funding for Parkinson's disease research. We are now on the verge of discovering a cure for Parkinson's. This strong Federal commitment on both the Republican and Democratic side will bring us closer to that end, and I appreciate all those Members helping out.

I do come before the floor today also in the spirit of bipartisanship that has been the rule of the day. In the wake of the cowardly and horrific attacks on our Nation on September 11, partisan wrangling is indeed frivolous.

To ensure that the business of this Nation moves on without delay, I decided not to offer an amendment today that, though I think it is crucial for the importance of the health of millions of Americans, could potentially be controversial and slow down the legislative process.

Had our Nation not been struck on that faithful day 1 month ago today, I would have offered an amendment to expand stem cell research. This amendment, which I would like to submit for the RECORD at this time, takes a cautious measured approach to realizing the full potential of promising research.

Mr. Chairman, I include the amendment I had proposed for the RECORD.

AMENDMENT TO H.R. 3061, AS REPORTED  
OFFERED BY MR. EVANS OF ILLINOIS

At the end of section 510, add the following:

(c) HUMAN EMBRYONIC STEM CELLS.—

(1) FINDINGS.—The Congress finds as follows:

(A) The President's decision to allow human embryonic stem cell research to go forward on stem cell lines derived on or before August 9, 2001, provides a crucial first step in conducting basic research on stem cells.

(B) Basic research on human embryonic stem cells is essential to determine how

stem cells proliferate, specialize, and differentiate.

(C) Human embryonic stem cell research holds promise for cures and improved treatments for a wide array of diseases and injuries, including Alzheimer's disease, cardiovascular disease, diabetes, Parkinson's disease, and spinal cord injuries.

(D) The National Academy of Sciences and leading biomedical researchers agree that therapies for use by humans will not result from stem cell lines derived from human embryos on or before August 9, 2001, which have been grown with the use of animal products that pose health risks to humans.

(E) The President's policy must be revised if the Nation is to realize human applications of stem cell research.

(F) Given the promise of human embryonic stem cell research, the Congress should act expeditiously to consider Federal funding for this important research. If the Congress fails to address this issue expeditiously, the National Institutes of Health must be allowed to expand Federal funding of human embryonic stem cell research beyond research on stem cell lines derived on or before August 9, 2001.

(2) IN GENERAL.—Not later than August 9, 2003, the Director of the National Institutes of Health shall issue guidelines to authorize funding for research using stem cells that were derived from human embryos after August 9, 2001, if the applicant provides assurances satisfactory to the Director of the following:

(A) DATE OF DERIVATION.—The research cannot be conducted effectively using one or more stem cells that were derived from a human embryo on or before August 9, 2001.

(B) CONDITIONS OF DERIVATION.—Any human embryonic stem cell to be used in the research may be derived from an embryo only if that embryo has been donated from an in-vitro fertilization clinic in compliance with the following:

(i) The human embryonic stem cell is not derived from the embryo using Federal funds.

(ii) The embryo from which the stem cell is derived is created for the purpose of fertility treatment and is in excess of the clinical need of the individuals seeking the treatment.

(iii) Before being asked to consider donating the embryo for research purposes, the embryo's progenitors determine that the embryo is in excess of their clinical need for fertility treatment.

(iv) Before being asked to consider donating the embryo for research purposes, the embryo's progenitors are given the option of donating the embryo to an infertile couple for adoption.

(v) The embryo is donated with the informed, written consent of the embryo's progenitors (including a statement that the embryo is being donated for research purposes).

(vi) The decision of the embryo's progenitors to donate the embryo is made free of any influence by any researcher or investigator proposing to derive or use human embryonic stem cells in research.

(vii) Any compensation paid for the human embryonic stem cell does not exceed the reasonable costs of transportation, processing, preservation, quality control, and storage of the cell.

(3) EARLIER STEM CELL LINES.—This subsection does not impose any restriction on funding for research using stem cells that were derived from human embryos on or before August 9, 2001.

(4) APPLICATION.—Paragraph 2(A) shall not apply after August 8, 2005.

(5) EFFECTIVE DATE.—The guidelines issued under paragraph (2) shall take effect on August 9, 2003.

□ 1415

I believe the majority of my colleagues will find this compromise a prudent approach to this sensitive issue.

The amendment acknowledges the President's policy as a good starting place and allows research to go forward only under this policy in the near future. The science is in its infancy and the President's policy may be ultimately sufficient to conduct the most basic stem cell research that will be the foundation of science for the years to come.

But this policy will not suffice for the long term. Leading researchers and the National Academy of Sciences agree that it will not result in human therapies. This amendment would give Congress plenty of time to thoughtfully consider the issue of federal funding for embryonic stem cell research. However, if we fail to act in the next two years, NIH would be directed to incrementally expend embryonic stem cell research over a period of several years.

While I will not offer this compromise amendment today, I wanted to take this opportunity to remind members how critical this issue is to the millions of Americans who stand to benefit from this exciting new research. I hope that I can count on my colleagues' support when we revisit this issue next year.

I would also like to take a minute to personally thank the members of the Appropriations Committee for the inclusion of increasing funding for Parkinson's Disease research. We are on the verge of discovering a cure for Parkinson's Disease. This strong federal commitment will bring us closer to that end.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD), a member of the subcommittee who is very constructive in his work and offers many useful suggestions.

Mr. SHERWOOD. Mr. Chairman, I thank the gentleman for yielding me time. I rise in strong support of H.R. 3061.

Mr. Chairman, it has been a real pleasure for me to serve on the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations, which has produced this good bill that touches the lives of all Americans. The bill, which deserves our high praise and strong support, is the bipartisan product of the altruistic spirit and genuine compassion of the gentleman from Ohio (Mr. REGULA), the chairman of the subcommittee. As the chairman has often said, this clearly is the "love thy neighbor" bill.

It is fitting that we come together today, 1 month after the dastardly attacks on our Nation, to provide America with the resources that we need to defend against the threat of bioterrorism and to aid working Americans who have lost their jobs.

I am also glad that we have been able to fulfill the President's Reading First initiative. It is with education that we prepare for the future, and education begins with reading.

I am particularly gratified that the bill provides a \$1.4 billion increase in special education. My 20 years on the public school board in Tunkhannock, Pennsylvania, has shown me how much more difficult local spending decisions made by school boards were made by IDEA mandates without adequate Federal funding. So I am glad that we addressed that.

Yesterday, the National Center for Health Statistics reported that America's life expectancy rose again last year. That report is a credit to the effort of Congress to support biomedical research and to improve treatments and cures for illnesses which afflict the American family. With this bill, we continue that effort.

Although it is a very modest program, only \$5.3 billion, the Rural Community Assistance Program and the Office of Community Services Rural Facilities is very vital. RCAP helps rural communities to apply for assistance and to improve their infrastructure to sustain safe, affordable water.

I urge my colleagues to support this bill.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, while the terrorists on September 11 may have succeeded in bringing down our World Trade Towers and temporarily scarring the Pentagon, they only strengthened our resolve to get better prepared for bioterrorism and better educate our children.

I want to commend in the strongest terms possible our chairman, the gentleman from Florida (Mr. YOUNG), the gentleman from Ohio (Mr. REGULA), and the gentleman from Wisconsin (Mr. OBEY) for their strong leadership with this bipartisan bill. It is certainly a step forward in better preparing our country educationally and better preparing our country against terrorism.

On title I, a program to help educate our most vulnerable and needy poor children, we have a 20 percent, \$1.7 billion increase to attach new reforms and testing to remediate and tutor these children. In Pell grants, this is a first-time Pell grant hit up to \$4,000 for students going to college; and that is 57,000 more students who will be eligible to go to college. We also have a program called Transition to Teaching, working on our quality teaching in this country, which is the real key to success for all children.

I want to thank the gentleman from Ohio (Mr. REGULA) and the gentleman from Wisconsin (Mr. OBEY) for their help there.

Head Start programs have a \$276 million increase, about a 4 percent increase keeping up with inflation. It



will help early Head Start significantly more, with more children, for 0 to 3. I hope we will continue to do more for Head Start in conference.

Finally, on bioterrorism, we have a \$301 million increase for stockpiling vaccines and for Federal, State, and local responses to help better prepare our forces for a bioterrorist attack. I would encourage this committee in the strongest terms that this is a first step. The gentleman from Pennsylvania (Mr. GREENWOOD) and I have bipartisan legislation for a \$1.4 billion increase to better prepare this country on bioterrorism. I hope we will take those steps later on, maybe in the supplemental bill.

Mr. Chairman, again, I applaud the leadership for this bill.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise today to speak in favor of the Pell grant increase in the Labor-HHS-Education appropriation bill.

Started in 1972, the purpose of the Pell grant program is to financially assist students from low-income families who would not be able to attend college because of the financial burden it would place on the student and his family. For example, my mom was a single parent who raised three children on the modest salary of a secretary. We lived in a one-bedroom home growing up. I personally would not have been able to go to college if it was not for the Pell grant program. In fact, one in five college students today benefit from Pell grants.

This year we will invest \$10.5 billion in Pell grants, the largest investment in our country's history. College students will now be able to receive up to \$4,000 a year, or \$16,000 over a 4-year college career. This will fully cover the cost of tuition, fees and books at the University of Central Florida in Orlando. Now, all children, rich or poor, will have the opportunity to go to college.

This investment will also help generate up to \$85 billion a year in additional tax revenues because students earning a bachelor's degree make 75 percent more money on average than those with only a high school diploma. I want to personally commend and thank the chairman of the subcommittee, the chairman of the full committee, and the ranking member of the subcommittee for their historic leadership in providing this high-level Pell grant funding. They are truly friends to our millions of college students who depend on this aid to go to college.

I urge my colleagues to vote "yes" on the Pell grants and "yes" on the Labor-HHS appropriation bill.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gen-

tleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in allowing me to speak in support of this bill.

I join my colleagues in saluting the committee for the progress for education and health, especially for the IDEA special education grants. I understand why it was difficult to deal with issues of school modernization; but I am hopeful that before this Congress adjourns that we are able to assess that critical need.

But I would like to address my particular attention to the issue of public broadcasting. The committee has found a way to provide \$365 million in advanced funding for the Corporation for Public Broadcasting. I think we have all been made aware, just in the course of this last month in our quest for information and news in the wake of September 11, what a critical role public broadcasting plays. A number of the Members of this Chamber looked last week again at some of the critical research videos that have been advanced that really provide broad public understanding of the events in the Middle East.

But of critical importance to public broadcasting is the Federal mandate that all TV stations expand from traditional analogue to modern digital transmission by May 2003. This is a powerful new tool for public broadcasting, but without Federal assistance for digital conversion, many areas of the country could lose their public broadcast signals. One-third of the 347 member stations in the system are considered at risk.

I appreciate the language in this bill providing for an additional \$25 million for digitalization; however, this appropriation must be specifically authorized in subsequent legislation. I urge my colleagues to remain aware of this issue and authorize the appropriation in the future. We cannot afford to lose the connection that public broadcast provides between its groundbreaking educational, entertainment, and cultural productions in our communities everywhere. The committee has done its job, and I hope that Congress will follow through.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from New York (Mrs. LOWEY), also a member of the subcommittee.

Mrs. LOWEY. Mr. Chairman, I rise today in strong support of the fiscal year 2002 Labor, Health and Human Services and Education appropriation bill. It is really a privilege for me to serve on this committee; and I personally want to thank our chairman, the gentleman from Ohio (Mr. REGULA), and our ranking member, the gentleman from Wisconsin (Mr. OBEY). I know of their commitment to the issues that we discuss in this com-

mittee; and I want to also thank the staff of the committee, both majority and minority, who really have been a pleasure to work with. Their cooperation has allowed us to consider what should have been the least contentious bill in years, and I do hope that some of the amendments that were in the planning will not be offered so that we can all stand together in support of this really good bill that serves people in this country, because I certainly do not want to be here discussing some of these amendments. I would rather be working on ways to provide for the defense of our citizens, of finding ways to stimulate the economy.

This bill has provided for funding for so many programs that are needed by the American people. The bill significantly increases funding for the National Institutes of Health. We must continue to provide robust funding for medical research so that we can find the cures for disease.

The bill also provides a large increase for the 21st Century Learning Centers After School Program. I remember when I first got on this committee and we had \$1 million in the program, and now we are up to \$1 billion; and the lines are still long in every community of people who want to provide funding for after-school programs, so I want to thank again the chairman and the ranking member for their help in that area. The program gives millions of children a place to go after school where they can participate in meaningful activities.

I just want to mention one other thing. I do hope as this bill moves through the process we can add some money for school modernization. It has been an issue I have been working on for a very long time, and it is so very important. I do hope we can invest in that critical area. There are so many schools in terrible condition, and we should do something to help local school districts fix this problem. This bill is a very big step in the right direction.

Mr. Chairman, I support the bill; and I urge my colleagues to support it as well.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I am proud to join my good friend, the gentleman from Illinois, (Mr. EVANS) who spoke just briefly a few minutes ago in addressing the important issue of stem cell research. The gentleman from Illinois (Mr. EVANS) and I are deeply committed to pursuing ways to reevaluate the August 9 cutoff date of the number of stem cell lines that can be used for four simple reasons. First, research is needed. Nearly one-half of the American

population could benefit from stem cell research.

□ 1430

Two, in vitro fertilization. There are 400 in vitro fertilization clinics throughout the country helping hundreds of thousands of couples per year experience the joy of childbirth through in vitro fertilization. This process necessarily creates more embryos that can be used, so to relegate these potentially lifesaving cells to the trash heap instead of NIH laboratories after the arbitrary deadline of August 9 is inconsistent and unfair to 135 million Americans.

Third, current stem cell supply. Since August 9 we have learned that the 64 cell lines identified by NIH are not all robust and may not be safe because many researchers have mixed human cells with mouse.

Finally, fourth, government oversight. Irrespective of the President's guidelines, the private sector in the United States, as well as the public and private sectors abroad, will continue to conduct research on stem cells that fall outside the parameters established by the Bush administration.

We cannot let America fall behind in this research, and cannot deny our citizens the cures and treatments that may result from research conducted on cells derived after August 9. We must provide strong oversight to ensure that research is conducted by ethical means that do not force us to wrestle with similar moral questions in the near future.

Mr. Chairman, I thank the President for taking the first step, but I respectfully implore my colleagues to take the next. I look forward to working with Members in this endeavor.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI), the newly elected and soon-to-be whip of the Democratic Party.

Ms. PELOSI. Mr. Chairman, I thank the chairman for yielding time to me, and for his excellent service in bringing this bill to the floor.

I want to commend, certainly, our new chairman of the committee, the gentleman from Ohio (Mr. REGULA), and our big chairman, the chairman of the full committee, for their extraordinary leadership. With all of them working together, the gentleman from Wisconsin (Mr. OBEY), the gentleman from Florida (Mr. YOUNG), and the gentleman from Ohio (Mr. REGULA) put us in position today to vote for a bill that is worthy of our support.

One of the challenges, Mr. Chairman, that has been of particular prominence in the minds of all Americans since September 11 has been the threat of bioterrorism. On the Permanent Select Committee on Intelligence, where I serve as the ranking Democrat, we have studied the threat posed by bio-

logical and chemical agents and our ability to respond.

Great strides have been made in recent years, but we must strengthen the ability of the public health infrastructure to detect and contain an attack and treat its victims. This bill provides an increase of \$60 million to improve surveillance and strengthen our medical response.

In addition, \$20 million has been included for pilot projects to explore the feasibility of developing a Nationwide Health Tracking Network among all States to identify and track disease and related environmental factors. The CDC will use this and increased funding for its environmental health lab to rapidly assess human exposure to environmental toxins.

I am pleased also that HIV care and treatment through Ryan White has been increased by \$112 million, and HIV prevention at the CDC has been increased by \$86 million.

For the fourth year in a row, we have provided dramatic increases in biomedical research at the NIH. In addition to progress in the search for better treatments and eventually a vaccine for AIDS, these investments are yielding phenomenal progress in our understanding of the human body and how we are affected by our environment.

Additional resources, thanks to our distinguished leadership, have been provided for child care, breast and cervical cancer treatment, drug treatment, bilingual education, worker safety, and many other important areas.

This progress is promising, and I look forward to working with my colleagues on both sides of the aisle to address the unmet health, education, and labor needs that remain.

I urge my colleagues to support the labor, health and human services, and education bill.

Mr. Chairman, I comment Chairman REGULA and Ranking Member OBEY for their leadership on the Labor-HHS-Education Subcommittee. This is a difficult time for our Nation, and this can be a difficult bill to pass because it addresses important needs that we all feel passionate about—health care, education, and a strong work force. The Appropriations Committee has risen to this challenge and I am proud of the bipartisan bill that has been produced.

One challenge has been particularly prominent in the minds of all Americans since the September 11th attacks is the threat of bioterrorism. On the Intelligence Committee, where I serve as the Ranking Democrat, we have studied the threat posed by biological and chemical agents and our Nation's ability to respond. Great strides have been made in recent years, but we must strengthen the ability of our public health infrastructure to detect and contain an attack, and treat its victims. This bill provides an increase of \$60 million to improve surveillance and strengthen our medical response.

In addition, \$20 million has been included for pilot projects to explore the feasibility of

developing a Nationwide Health Tracking Network among all States to identify and track disease and related environmental factors. The CDC will use this and increased funding for its environmental health lab to rapidly assess human exposure to environmental toxins, including biological and chemical agents.

I am also pleased that HIV/AIDS care and treatment through the Ryan White Care Act has been increased by \$112 million, and HIV prevention at the CDC has been increased by \$86 million.

As new infections remain steady and treatment advances reduce the number of AIDS deaths, more people than ever are living with HIV/AIDS and in need of treatment regimens that are costly, complicated, & lifelong.

For the fourth year in a row, we have provided dramatic increases in biomedical research at the National Institutes of Health. In addition to progress in the search for better treatments and, eventually, a vaccine for AIDS, these investments are yielding phenomenal progress in our understanding of the human body and how we are affected by our environment.

Additional resources have also been provided for child care, breast and cervical cancer screening, drug treatment, bilingual education, worker safety, and many other important areas. This progress is promising, and I look forward to working with my colleagues on both sides of the aisle to address the unmet health, education, and labor needs that remain. I urge my colleagues to support the Labor-Health and Human Services-Education Appropriations bill.

These needs are especially critical for communities of color, where the majority of new AIDS cases are occurring, and I am particularly pleased that funding for the Minority HIV/AIDS Initiative is increased by \$37 million. Greater access to voluntary counseling & testing, stronger linkages between prevention & treatment, improved access to AIDS drugs, and a reduction in new HIV infections worldwide are vital, and will require significantly more resources than we currently provide.

We must continue to increase these resources, and commit ourselves to ensuring that the third decade of the AIDS epidemic is the last decade of the AIDS epidemic. The increases that are provided in this bill are an important step forward.

Mr. OBEY. Mr. Chairman, I yield the balance of my time to the distinguished gentlewoman from New York (Mrs. MALONEY).

The CHAIRMAN. The gentlewoman from New York (Mrs. MALONEY) is recognized for 1 minute.

Mrs. MALONEY of New York. Mr. Chairman, 1 month after September 11, Americans continue to contemplate the vulnerability of human life. So I think it is very fitting that we pass a bill today which does so much to preserve and prolong human life.

The bill increases funding for medical research, and keeps within reach the goal of doubling funding for NIH within 5 years. It includes report language that reinforces Congress' commitment to fully fund the NIH Parkinson's disease research agenda for fiscal



year 2002. The bill reaffirms the President's commitment to stem cell research. The plan is far too limited, but it is a small step forward. I am pleased that it includes a substantial increase for education, although the bill should have funded the school repair and renovation program.

I applaud the gentleman from Florida (Chairman YOUNG), the gentleman from Ohio (Mr. REGULA), and the ranking member, the gentleman from Wisconsin (Mr. OBEY), for forging this bill in a bipartisan spirit at a very difficult time. They set an example for the appropriations process this fall, and for American unity and resolve.

Mr. REGULA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I have just two things. I would like to read from the Administration letter. It says: "The Administration appreciates that the House has retained the current language provision concerning Federal funding for needle exchange programs and the Hyde language regarding the Federal funding of abortions."

So I want to make clear that this is the same language as has been in the past.

I also want to point out that we do have now the statement of administration policy. It has been coordinated by OMB with all the agencies, and it is a good statement supporting the provisions of this bill. So it truly is a bipartisan bill. It has the support of the leadership on the other side of the aisle and it has the support of our leadership and the support of the White House.

I would urge when we get to the final vote, that all the Members of this body support it. It is truly, as Mr. Natcher used to say, a people's bill.

Mr. BLUMENAUER. Mr. Chairman, my goal in Congress has been the promotion of livable communities. A community that is safe, healthy and economically secure must make the education of our children a priority. The well-being of our families depends on the federal government adequately funding health, education and worker protection programs.

Today's Labor-HHS Appropriations bill is a step in the right direction. It triples the President's proposed rate of new educational investment and significantly increases funding for health care and worker protection programs.

The bill increases education funding by \$7.0 billion over last year's level, and \$4.7 billion over the President's request. Over the last 5 years, the average annual rate of new educational investment has been 13%. The Bush budget proposed to cut this rate in half to only 5.5%, but the bill passed today increases this to almost 17%—the highest in a decade. Today's bill increases Title 1 funding, special education funding and teacher training and class size reduction funding by over \$1 billion. These vital funds will help schools to hire up to 20,000 teachers to reduce class sizes and provide intensive, high quality and sustained professional development to as many as 825,000 teachers.

I applaud the Appropriations committee for approving a bill that does so much for health care in America. The bill increases health programs in the Department of Health and Human Services by \$3.4 billion, which is a 10% increase above last year's level. We can all celebrate the increase in funding for Head Start and bioterrorism preparedness.

The bill restores proposed enrollment cuts in Head Start with an increase of \$276 million over FY01 levels, preventing potential cuts of as many as 2,500 children from current Head Start enrollment levels. We must not neglect our children at this very important stage in their development. Our communities will also feel the security of an increased investment in the prevention of bioterrorism, a renewed threat to our nation. It is important, now more than ever, that we are prepared with the vaccines and drugs necessary to prevent exorbitant injury and loss of life in the event of a bioterrorist attack.

I am particularly pleased that the bill will increased our commitment to fighting HIV/AIDS, and helping the victims of this terrible disease. The FY02 bill will increase Center for Disease Control AIDS prevention and tracking funds by \$53 million, and provide \$112 million more than the FY01 level for Ryan White grants.

I am also encouraged by several of the labor provisions included in the bill. Funding for the Department of Labor is increased by 5%, rather than cut by 3% as was proposed by the Administration, providing growth in the major employment, training, and worker protection programs. Some of those improvements include the bill's restoration of the 180 employees that the White House budget proposed to cut from the Occupational Safety and Health Administration (OSHA).

The bill increases Jobs Corps funding \$75 million over last year, reversing the President's proposal to flat fund the program. It also restores funding to FY01 levels for the International Labor Organization, reversing the President's proposal to cut \$76 million out of this program that works to prevent child and slave labor.

I am pleased that the committee provides \$365 million in advance funding for the Corporation for Public Broadcasting. We all are aware of the value of public broadcasting and that value is even more apparent during our quest for information and news in the wake of the September 11, 2001 terrorist attacks.

Of critical importance to Public Broadcasters is the Federal mandate that all public TV stations expand from traditional analog to modern digital transmission by May 2003. I appreciate the language in this bill providing an additional \$25 million for digitalization. Without federal assistance for digital conversion, one-third of the 347 member stations the Public Broadcasting System are considered at risk of possibly losing their public television signal once the transition period ends and analog transmission is no longer possible.

These are all important programs for advancing quality of life goals, and supporting all of our citizens. I urge support for this bill.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of the bipartisan agreement represented by H.R. 3061. The Labor, Health and Human Services and Education appropriations bill.

I particularly want to applaud Chairman REGULA and Ranking Member OBEY on the yeoman's job they have done to bring this bill to the floor.

This bill provides significant increases for education above the President's request, and restores and increases funding in many critical health programs above the original request as well. Among these, I am especially pleased that Healthy Start will receive a 13% increase.

Our Minority HIV/AIDS initiative was not funded at its requested level of \$540 million. The committee however did provide an increase of \$37.3 million above last years funding, an increase of about 11%. For that increase, which is reflected across the board in all of the Departmental agencies, which have responsibility for HIV and AIDS, we are grateful. While it is short of what we determined would be needed, it has the potential to reach many infected and affected people within communities of color and other hard to reach populations, who have been disproportionately and devastatingly impacted by this disease.

What we still have major concerns about is the language, which does not go far enough to ensure that this program funding will go to build capacity in the most severely impacted communities of color.

We would ask that the leadership and those in the conference committee continue to work with us to ensure that the intent and the integrity of the Minority HIV/AIDS initiative—an initiative that would not only begin to bring the epidemic that exists in our communities under control, but also begin to repair and rebuild a now fragmented healthcare infrastructure. In the long run, this small amount of funding, with the appropriate targeting can greatly impact the health status not only of those special populations we seek to reach but the entire nation.

We look forward to addressing the language issue, as it will determine how effective this funding will be.

In the meantime, we again thank the Committee and the Subcommittee for their assistance and support.

Mr. SERRANO. Mr. Chairman, I rise in support of the H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education and a number of related agencies for the fiscal year 2002.

I want to commend Chairman REGULA and Ranking Democrat OBEY and the Members of the Subcommittee on their fine, bipartisan work in crafting this bill. While I do not agree with every provision of the bill—no one does—I deeply appreciate the cooperation and restraint on both sides of the aisle that have brought use to consideration of the bill today.

This bill supports programs and services that are among the most important to our constituents, both in ordinary times and in times of crisis.

As we move forward from the dreadful attacks of September 11th, we must continue to support our children's education, the health and well-being of our people, and the ability of our workforce to thrive in the economy of the 21st Century. At the same time, we must help those whose lives have been disrupted in the aftermath of the attacks and strengthen our long-neglected public health system to meet



future challenges, as the anthrax cases in Florida demonstrate.

The bill would provide \$14 Billion for the Department of Labor, including important increases in funding for the Job Corps, which has a successful site in my district, and the Employment Standards Administration (ESA) and Occupational Safety and Health Administration, which protect workers from exploitation and injury.

The Department of Health and Human Services would receive \$53 billion in discretionary appropriations, including important initiatives in countering bioterrorism, increases for biomedical research, disease control and prevention, and health services. The \$150 million increase in funding for community health centers is particularly welcome. Also receiving increases are the child care block grant, Head Start, and other important social services programs, although I wish we could have done more for LIHEAP.

The Education Department would receive \$49 Billion, 17% above last year. The President and Members on both sides of the aisle recognize the crucial importance of reforming and funding better schools for our children. In many ways, our future depends on this. The increase in the Pell Grant to \$4,000 is also to be applauded.

Mr. Chairman, this is a good bill. I might have put more money into it and distributed the funds a bit differently, but I am pleased to support it and urge my colleagues to do the same.

Mr. BENTSEN. Mr. Chairman, I rise in strong support of H.R. 3061, the Fiscal Year 2001 Labor, Health and Human Services, and Education Appropriations bill. This legislation would provide \$395 billion for the Departments of Labor, Health and Human Services, and Education, and related agencies. I am especially pleased that this legislation would provide a 16 percent increase for education funding and 12 percent increase for biomedical research conducted through the National Institutes of Health (NIH).

With regard to education, I am pleased that this bill would dramatically increase funding for education programs by providing \$7 billion over FY 2001 levels and \$4.7 billion above the President's request. Over the last five years, the average annual rate of new educational investment has been 13 percent. This legislation would increase the education investment to 17 percent—the highest in a decade. While the bill does not include separate funding for the class-size reduction initiative, I am pleased that the program was redirected into teacher quality state grants. Under this legislation, these state grants will receive a \$1 billion increase to help schools reduce class size and provide professional development for teachers and other school employees. Additionally, the committee's inclusion of \$975 million for the President's Reading First initiative will enable schools to bring proven, research-based reading programs to students in the critical early learning years. The \$1 billion increase for 21st Century After School Centers will provide students with a quality after school program. And for students continuing on to higher education, the increase in the Pell Grant maximum grant to \$4,000 will enable low-income students to meet today's ever-increasing educational

costs. Additionally, the bill wisely rejects proposed enrollment cuts to Head Start, preventing possible cuts for as many as 2,500 children from this critically important program.

I am also pleased that the committee included a 50 percent increase in the federal share of special education costs. Over a two-year period, the funds will raise the federal share toward special education costs to 18 percent from 12 percent. In 1975, Congress passed Public Law 94-142, the Individuals with Disabilities Education Act (IDEA), which committed the federal government to fund up to 40 percent of the educational costs for children with disabilities. However, the federal government's contribution has never exceeded 15 percent, a shortfall that has caused financial hardships and difficult curriculum choices in local school districts. According to the Department of Education, educating a child with a disability costs an average of \$15,000 each year. However, the federal government only provides schools with an average of just \$833. While I believe the funding increase in this legislation represents a step in the right direction, I believe we must abide by our commitment to fund 40 percent of IDEA costs, and I am hopeful that we will consider greater funding increases in the next fiscal year.

While the overall bill is a good one, there are many important programs that were level-funded or eliminated under this legislation. To that end, I look forward to working with my colleagues to continue funding for these programs at adequate levels, or in the case of school modernization, to work for its reinstatement. In total, though, this bill makes important investments in education, and will provide America's children with the resources they need to succeed and be productive members of our society.

As a Co-Chair of the Congressional Biomedical Research Caucus, I am pleased that this legislation provides \$22.9 billion for the National Institutes of Health (NIH), an increase of 12 percent or \$2.6 billion more than last year's budget. This \$22.9 billion NIH budget is our fourth payment to double the NIH's budget over five years. I am disappointed that this \$22.9 billion does not provide the \$3.4 billion that we believe is necessary to maintain our goal of doubling the NIH's budget over five years. Earlier this year, I organized a bipartisan letter in support of this \$3.4 billion increase for the NIH. I understand that the Senate Labor, Health, and Human Services, and Education Fiscal Year 2002 Appropriations bill includes a \$3.4 billion increase for the NIH. It is my hope that the conference committee will adopt this higher NIH budget.

I am a strong supporter of maximizing federal funding for biomedical research through the NIH. I believe that investing in biomedical research is fiscally responsible. Today, only one in three meritorious, peer-reviewed grants which have been judged to be scientifically significant will be funded by the NIH. This higher budget will help save lives and provide new treatments for such diseases as cancer, heart disease, diabetes, Alzheimer's, and AIDS. Much of this NIH-directed research will be conducted at the teaching hospitals at the Texas Medical Center. In 2000, the Texas Medical Center received \$289 million in grants from the NIH. I will continue to work to ensure the highest level of funding for the NIH.

I am also pleased that this bill provides \$393 million for countering bioterrorism, including \$100 more above last year's budget. In light of the recent terrorism acts, I believe we all believe that this investing in our national public health system is necessary and prudent. This budget provides \$301 million for the Public Health and Social Services Emergency Fund which would support programs at the Office of Emergency Preparedness. As the representative for the Texas Medical Center, which was recently affected by devastating flooding by Tropical Storm Allison, I can attest to the need for such funding. During this natural disaster, the Office of Emergency Preparedness was one of the first federal agencies to provide relief to our area and I applaud their efforts to immediately act to help during disasters. This \$393 million budget will also provide \$93 million in bioterrorism research at the NIH.

In addition, I support the \$4.1 billion budget for the Centers for Disease Control, a \$214 million increase or 6 percent increase above last year's budget. The CDC is critically important to monitoring our public health and fighting disease. Of this \$4.1 billion CDC budget, \$1.1 billion will be provided to address HIV/AIDS programs and to combat tuberculosis. This CDC budget also provided \$599 million to provide immunizations to low-income children. Immunizations have been shown to save lives and reduce health care costs. Investing in our children is a goal which we all share.

I urge my colleagues to support this legislation and vote for this important health, education and labor funding measure.

Mr. DAVIS of Illinois. Mr. Chairman, I rise today in strong support for forward funding of the LIHEAP program. Due to the nature of winters in Chicago and the east coast we can now implement safe guards for all our citizens. As we approach the coming winter months, preparation by forward funding can eliminate overwhelming burdens placed on low income families. The city of Chicago alone, has seen tremendous fatality rates due to excessively hot summers and extremely cold winters. The Department of Justice estimates that home heating oil prices could be 30% higher this winter from the previous winter and that natural gas prices could surge 40% higher. More than 150,000 of my constituents lives at or below the poverty level and with these circumstances are often faced with harsh and difficult decisions. Some of these citizens are forced to choose between medicine and cool air in the summer and between food and heat for their homes in the winter. According to the Roundtable Report to the Public Utilities Committee of the House of Representatives, the average winter bill for a typical family of four is 5.9% of their annual income. A family of four living at 125% of poverty pays between 20% to 37% of their annual income for winter heating cost. The low income families cannot afford to pay these high energy cost. Therefore, I am in strong support of Representative QUINN's amendment for an advance in the LIHEAP funding. We already know that many low income families will fall behind on their heating bills; however, we can offer an alternative by the passage of this amendment.

I urge its consideration and passage.

Mr. TANCREDO. Mr. Chairman, when my children were growing up and before they had

an understanding of the family budget, they would ask for things that we were sometimes unable to provide. They were usually extravagant things we simply could not afford. We didn't blame them for asking—they were just kids—they didn't know better.

What is our excuse? Is there a Member of the body who can't understanding the fiscal implications of declining Federal revenues combined with the cost of financing of a war?

How many of us I wonder will file down here and dutifully cast our vote for this bloated, extravagant, piece of profligate spending and then go home to tell our constituents that we are appalled by the fact that the Social Security surplus has been blown.

There is more than one kind of threat to the Nation—one stems from foreign terrorists and another from the fiscal irresponsibility of budget busting appropriations like this.

The 12.6 percent increase in this bill is unconscionable. I am not saying that the hundreds of programs funded in this bill are not all individually wonderful. They will surely bring about a totally literate society while concurrently wiping out poverty in America as one would be led to believe by listening to the rhetoric supporting it. What I am saying is that they are not as important as providing for the common defense. This after all is the thing for which we have sole and paramount responsibility—it is not our main responsibility to be the Nation's school board or health care provider.

And Mr. Chairman, I know it is hard to hear what I am going to say. It was hard to tell it to our kids but here it goes—we can't afford this bill. If we can't defeat it I hope the President will act as the adult here and veto the bill.

Mr. BEREUTER. Mr. Chairman, this Member wishes to add his strong support for H.R. 3061, the Labor, Health and Human Services and Education Appropriations Act for fiscal year 2002. This Member would like to commend the distinguished gentleman from Ohio [Mr. REGULA], the Chairman of the Appropriations Subcommittee on Labor, Health and Human Services and Education, and the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking member of the House Appropriations Subcommittee on Labor, Health and Human Services and Education, for bringing this important bill to the House Floor today.

In particular, this Member supports the additional \$25,000,000 provided to the Corporation for Public Broadcasting for digitalization. Public broadcasting has been issued a mandate to be on the air with a digital signal by 2003. By FY 2004 all stations will bear the additional costs of dual carriage of analog and digital signals. Nebraska ETV Network has worked closely with this Member and has informed me and shown evidence that they anticipate using the digital signal to offer multicasting and interactive video that will enable the network to address even more needs of children and adult learners. The State of Nebraska has already committed significant resources to convert the nine-station Nebraska ETV Network to digital technology. The funding plan approved by Nebraska's legislature and governor to ensure the Network's compliance with the Federal mandate assumed a commitment from the Federal Government to help close the DTV

funding gap. If we are to ensure that our local communities continue to receive the rich educational, cultural and informational programs and services offered by local public television stations, we must help them.

On another issue, the Member would like to commend his colleagues for their continued support of efforts to improve the delivery of health services in rural areas. Specifically, H.R. 3061 provides \$142 million for the National Health Service Corps, which plays a critical role in maintaining the health-care safety net by placing primary health-care providers in our nation's most underserved rural and urban communities. The measure also appropriates \$1.319 billion for the Consolidated Health Centers program—\$150 million more than fiscal year 2001. Community Health Centers (CHCs) provide primary and preventive care to medically underserved and uninsured people, including 5.4 million rural residents. Certainly, this Member commends this effort and encourages the expansion community health center services to address the needs of rural and underserved communities.

This Member is especially pleased that the appropriations bill provides \$35 million for the Medicare Rural Health Flexibility Program. Nebraska has been on the forefront of converting rural hospitals to critical access status. As of October 1, 2001, Nebraska has 53 Critical Access Hospitals which is the most in the country.

Furthermore, H.R. 3061 appropriates \$52 million to the Rural Health Outreach and Network Development and Research Grant Program and \$27.6 million to the Rural Telemedicine Grant program. These grants are available to rural communities working to provide health care services through new and creative strategies including telemedicine and trauma care services.

Additionally, this Member would like to take this opportunity to explain his "nay" vote on the amendment offered by the gentleman from Colorado [Mr. SCHAFER], a vote taken with some reluctance but very careful consideration. Within this Member's home state of Nebraska, the number of children enrolled in special education programs has risen by 3,700 students from 1995–1999, a nine percent increase. This Member has always supported fulfilling the commitment made by Congress made in 1975, which this Member notes was prior to his service in U.S. House, to fund IDEA at 40 percent.

Currently, the Federal Government is funding an average of 12.6 percent of the per pupil expenditure for children with disabilities. The other 27.4 percent of our unfilled promise is a burden that state and local governments are having to include in their budgets. This Member has said for many years now that the one significant way that Congress can help decrease property taxes for his Nebraska constituents as well as to meet their other programmatic, construction or enhanced teacher salary priorities, is to keep the congressional promise to provide 40 percent of the costs of special education.

Of course, it would be ideal to have the full 40 percent funding of IDEA in the Labor, Health and Human Services and Education Appropriations Act. However, the Schaffer amendment would have severely cut appro-

priations for disadvantaged children through Title I, vocational education and TRIO in order to offset the increase in IDEA funding. The underlying bill (H.R. 3061) provides a \$1.4 billion increase for IDEA, which is \$400 million above the President's request. Furthermore, this Member notes that over the past two years, funding for IDEA has been increased by \$2.7 billion.

Mr. Chairman, in closing, this Member urges his colleagues to support H.R. 3061.

Mr. CASTLE. Mr. Chairman, I am pleased to rise in strong support of H.R. 3061, the FY02 Labor, HHS and Education spending bill.

First, I want to thank Chairman REGULA for his yeoman's work on this legislation. Each year, the spending bill for the Departments of Labor, HHS, and Education is among the most difficult to complete and this year is no exception.

H.R. 3061 builds on investments in education which really began to take off in FY96. At the time, K–12 funding totaled \$11.2 billion. Since then, K–12 funding has increased to \$20 billion in FY01, and I am pleased to say that this investment continues even today.

More important, H.R. 3061 reflects the bipartisan education priorities that passed the House as part of the No Child Left Behind Act, and it increases funding for programs, like IDEA and Title I, which haven't always received sufficient funding in the past.

Since the enactment of IDEA, Congress has increased funding for State grants under this act from \$251.7 million in FY1997 to \$6.34 billion in FY2001, with the amount appropriated for State grants nearly tripling in just the last six years.

Under the leadership of former Members PORTER and GOODLING, we have increased funding by more than \$4 billion—175% increase in the Federal contribution.

This year we will add an additional \$1.4 billion, increasing the total to \$7.7 billion. This is the highest level of Federal support ever provided for children with disabilities, with the level of Federal funding growing from 7 percent of the per pupil expenditure to 18 percent.

While this bill may not fully fund IDEA, I believe it takes a significant and responsible step in the right direction. More important, it gives the Education and the Workforce Committee the flexibility it needs to successfully reauthorize the program next year.

H.R. 3061 also helps address the problem of overidentification of special needs children in IDEA by fully funding the President's request on the reading first and early reading first programs. This more than triples our current investment in reading instruction.

We have seen tremendous increases in the number of students, and African American students in particular, diagnosed with learning disabilities and referred to special education. As former Chairman GOODLING used to say, we will never get to full funding until we address this problem.

If we are able to identify and intervene with these children—as proposed in reading first and early reading first—we take the first step in reducing the number of students who cannot read, reduce special education referrals, and pave the way to fully funding IDEA.

On Title I, AID to disadvantaged children, H.R. 3061 appropriates \$10.5 billion, an increase of \$1.9 billion. This funding will support



the reforms in the No Child Left Behind Act, which will require additional funds to turn around failing schools and ensure all students are proficient in reading and math.

Also critical to the successful implementation of the No Child Left Behind Act, the bill provides \$400 million to help States develop and implement the annual reading and math assessments for students in grades 3–8. In so doing, H.R. 3061 puts a downpayment on our system of accountability—the heart of our education reform package.

In conclusion, I want to again thank Chairman REGULA and Chairman YOUNG for their excellent work on this legislation. They have managed to produce a balanced bill that will help our country fundamentally change the way we educate our children for the better.

#### K–12 FUNDING

[In billions of dollars]

Fiscal year	Funding level <sup>1</sup>
<b>DEMOCRAT MAJORITY</b>	
1990 .....	8.5
1991 .....	9.7
1992 .....	10.7
1993 .....	10.7
1994 .....	11.0
1995 .....	11.3
Note.—Average year increase 6 percent.	
Total spending, \$61.9 billion.	
32.9 percent overall increase 1990–1995.	
<b>REPUBLICAN MAJORITY</b>	
1996 .....	11.2
1997 .....	12.5
1998 .....	13.4
1999 .....	15.7
2000 .....	16.6
2001 .....	19.7
Note.—Average year increase 12.1 percent.	
Total spending \$89.1 billion.	
75.9 percent overall increase 1996–2001.	

<sup>1</sup>Includes Goals 2000, School-to-Work, ESEA and VocEd.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the order of the House of today, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered as read.

The Clerk will read.

The Clerk read as follows:

H.R. 3061

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:*

#### TITLE I—DEPARTMENT OF LABOR

##### EMPLOYMENT AND TRAINING ADMINISTRATION

Mr. BASS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do have an amendment to offer. I had planned to offer a couple of amendments having to do with funding for IDEA, special education.

But I have to say that within the constraints of the budget, the distinguished subcommittee chairman, my friend, the gentleman from Ohio (Mr. REGULA), has done an extraordinary job in raising funding for this critical program by \$1.375 billion. I believe that is the greatest increase that we have had from this body since I have been here.

It does not meet the objective of reaching 40 percent, or our mandate, within a specified period of 5 or even 10 years, but it recognizes, and certainly it is an extraordinarily commendable effort on the part of this subcommittee, and expresses the intent of this subcommittee chairman to meet this goal as quickly as possible.

We do have opportunities on the horizon. IDEA will be up for reauthorization next year. It is my hope that we can combine the process of reauthorization with an effort to set this Congress on a path to meeting the 40 percent funding goal in a set period of time.

I thank the chairman for his hard work in this area.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. BASS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I want to add to that that the minority also is extremely supportive of this increase, and there truly is bipartisan support for the program.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

##### TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Investment Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; the Women in Apprenticeship and Nontraditional Occupations Act; and the National Skill Standards Act of 1994: \$3,485,147,000 plus reimbursements, of which \$2,110,707,000 is available for obligation for the period July 1, 2002, through June 30, 2003; of which \$1,353,065,000 is available for obligation for the period April 1, 2002, through June 30, 2003; and of which \$20,375,000 is available for the period July 1, 2002, through June 30, 2005, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers. *Provided*, That \$3,500,000 shall be for carrying out the National Skills Standards Act of 1994: *Provided further*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

For necessary expenses of the Workforce Investment Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; \$2,098,000,000 plus reimbursements, of which

\$1,998,000,000 is available for obligation for the period October 1, 2002, through June 30, 2003; and of which \$100,000,000 is available for the period October 1, 2002, through June 30, 2005, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers.

##### COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, as amended, \$440,200,000.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of title I is as follows:

##### FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I; and for training, allowances for job search and relocation, and related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, \$11,000,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

In addition, for such purposes, \$404,650,000, to become available only upon the enactment of authorizing legislation.

##### STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, \$163,452,000, together with not to exceed \$3,236,886,000 (including not to exceed \$1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund including the cost of administering section 51 of the Internal Revenue Code of 1986, as amended, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 2002, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2004; and of which \$163,452,000, together with not to exceed \$773,283,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 2002, through June 30, 2003, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose: *Provided*, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 2002 is projected by the Department of Labor to exceed 2,622,000, an additional \$28,600,000 shall be available for

obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance programs, may be obligated in contracts, grants or agreements with non-State entities: *Provided further*, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A-87.

#### ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 2003, \$464,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2002, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

#### PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$113,356,000, including \$5,934,000 to administer welfare-to-work grants, together with not to exceed \$48,507,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

#### PENSION AND WELFARE BENEFITS ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses for the Pension and Welfare Benefits Administration, \$109,866,000.

#### PENSION BENEFIT GUARANTY CORPORATION PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 2002, for such Corporation: *Provided*, That not to exceed \$11,690,000 shall be available for administrative expenses of the Corporation: *Provided further*, That expenses of such Corporation in connection with the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

#### EMPLOYMENT STANDARDS ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$367,650,000, together with \$1,981,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d) and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided*, That \$2,000,000 shall be for the development of an alternative system for the electronic submission of reports as required to be filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and for a computer database of the information for each submission by whatever means, that is indexed and easily searchable by the public via the Internet: *Provided further*, That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91-0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): *Provided further*, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

#### SPECIAL BENEFITS

##### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 1012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, \$121,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, 2001, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2002: *Provided further*, That of those funds

transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, \$36,696,000 shall be made available to the Secretary as follows: (1) for the operation of and enhancement to the automated data processing systems, including document imaging, and conversion to a paperless office, \$24,522,000; (2) for medical bill review and periodic roll management, \$11,474,000; (3) for communications redesign, \$700,000; and (4) the remaining funds shall be paid into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

#### ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Act, \$136,000,000, to remain available until expended: *Provided*, That the Secretary of Labor is authorized to transfer to any Executive agency with authority under the Energy Employees Occupational Illness Compensation Act, including within the Department of Labor, such sums as may be necessary in fiscal year 2002 to carry out those authorities: *Provided further*, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed.

#### BLACK LUNG DISABILITY TRUST FUND (INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, \$1,036,115,000, of which \$981,283,000 shall be available until September 30, 2003, for payment of all benefits as authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which \$31,558,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, \$22,590,000 for transfer to Departmental Management, Salaries and Expenses, \$328,000 for transfer to Departmental Management, Office of Inspector General, and \$356,000 for payment into miscellaneous receipts for the expenses of the Department of Treasury, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5) of that Act: *Provided*, That, in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to August 15 of the current year.

#### OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$435,307,000, including not to exceed \$88,694,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970; and, in



addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: *Provided*, That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2002, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of 10 or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

*Provided further*, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees.

#### MINE SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$251,725,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; including up to \$1,000,000 for mine rescue and recovery activities, which shall be available only to the extent that fis-

cal year 2002 obligations for these activities exceed \$1,000,000; in addition, not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to \$1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

#### BUREAU OF LABOR STATISTICS SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$397,696,000, together with not to exceed \$69,132,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund; and \$10,280,000, which shall be available for obligation for the period of July 1, 2002, through June 30, 2003, for Occupational Employment Statistics.

#### OFFICE OF DISABILITY EMPLOYMENT POLICY SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, \$33,053,000, of which \$2,640,000 shall be for the President's Task Force on the Employment of Adults with Disabilities.

#### DEPARTMENTAL MANAGEMENT SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental bilateral and multilateral foreign technical assistance, and \$51,708,000 for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; \$383,568,000; together with not to exceed \$310,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: *Provided*, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the

United States Supreme Court in *Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding*, 115 S. Ct. 1278 (1995), notwithstanding any provisions to the contrary contained in rule 15 of the Federal Rules of Appellate Procedure: *Provided further*, That no funds made available by this Act may be used by the Secretary of Labor to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months: *Provided further*, That any such decision pending a review by the Benefits Review Board for more than 1 year shall be considered affirmed by the Benefits Review Board on the 1-year anniversary of the filing of the appeal, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: *Provided further*, That these provisions shall not be applicable to the review or appeal of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.).

#### ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$186,903,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100-4110A, 4212, 4214, and 4321-4327, and Public Law 103-353, and which shall be available for obligation by the States through December 31, 2002. To carry out the Stewart B. McKinney Homeless Assistance Act and section 168 of the Workforce Investment Act of 1998, \$24,800,000, of which \$7,300,000 shall be available for obligation for the period July 1, 2002, through June 30, 2003.

#### OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$52,182,000, together with not to exceed \$4,951,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

#### GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

#### (TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

This title may be cited as the "Department of Labor Appropriations Act, 2002".

The CHAIRMAN. Are there any amendments to title I?

Mr. HILLEARY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the chairman of the subcommittee in a colloquy.

I would ask the gentleman, in the bill language relating to H.R. 3621 he stated that the funding is provided for school improvement programs, including the

rural education program as "redesignated and amended by H.R. 1 as passed by the House of Representatives on May 23, 2001."

Is it the committee's intent, Mr. Chairman, that the funding for the rural education program follow the program structure and funding distribution as outlined in H.R. 1, title I, part (G), regarding rural schools?

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. HILLEARY. I yield to the gentleman from Ohio.

Mr. REGULA. Yes, Mr. Chairman, the gentleman is correct. The committee's intention is to provide funding for programs included in H.R. 1, the No Child Left Behind Act, as it was passed by the House this spring.

Mr. HILLEARY. Mr. Chairman, I thank the chairman for clearing up that ambiguity.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MR. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ISTOOK:

Page 18, line 8, after the dollar amount, insert the following: "(reduced by \$3,072,000)".

Page 21, line 13, after the first dollar amount, insert the following: "(reduced by \$36,170,000) (increased by \$33,000,000)".

Page 22, line 25, after the dollar amount, insert the following: "(increased by \$33,000,000)".

Page 23, line 4, after the dollar amount, insert the following: "(increased by \$33,000,000)".

Page 39, line 1, after the dollar amount, insert the following: "(reduced by \$17,708,000)".

Mr. REGULA. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. ISTOOK. Mr. Chairman, the effect of this amendment is to increase by \$33 million the amount appropriated for abstinence education, as has been defined by this Congress in previous legislation.

Let me first state, Mr. Chairman, that I appreciate that the gentleman from Ohio (Chairman REGULA) in this base bill has increased the funding for abstinence education. My regret is that it is not to a level that many of us consider satisfactory, but that should not remove our appreciation for the fact that it has been increased.

We have had for many years, for decades, Mr. Chairman, Federal funding for so-called family planning or safe sex programs, as they are often called. But Mr. Chairman, that has not reversed the trend of increase in teen births out of wedlock.

However, in recent years, Federal funding began in 1995 and private funding began in the couple of years before that, and in recent years we have seen a very different approach that has taken place; that is, promoting abstinence as the surest and only way to

prevent sexually-transmitted diseases, or to prevent the out-of-wedlock births among teenagers.

Indeed, President George W. Bush, when he was campaigning, made the commitment to bring the level of Federal funding for abstinence education to the same level as we are spending on the family planning and safe sex programs. That is what this amendment does. By the \$33 million increase, it brings parity.

What we mean by that is we follow the definition of this Congress to say that we are talking about the funding for education that has as its exclusive purpose teaching the social, psychological, and health gains to be realized by abstaining from sexual activity, and teaching that abstinence from sexual activity outside marriage is the expected standard for all school-aged children, and the only certain way to avoid out-of-wedlock pregnancies, to avoid sexually-transmitted diseases, and to avoid other associated health problems.

Indeed, only with the advent of abstinence education have we seen in the last couple of years a reversal of the long-standing and deplorable trend in this country of increases in teenage unwed births.

□ 1445

Earlier this year, for the first time, grants were made to applicants by the Department of Health and Human Services, putting out the first 20 million in competitive grants for this purpose. They were overwhelmed. It was the greatest tide of applications they have ever seen for any program. Over 359 entities across the country seeking some \$165 million applied for a program that only had \$20 million available to it.

We need to increase the amount of money we are putting into abstinence education for the benefit of our kids, for the benefit of our Nation, which pays exorbitant costs with out-of-wedlock births and supporting the social problems that come from them, and we need to start reinforcing what we teach our children at home, what we teach our children at church, but too often is undercut by the messages sent by the Federal Government.

Rather than defunding the Federal Government's programs relating to so-called safe sex, we are seeking parity. We are seeking equity which was what the commitment was by President Bush; and indeed, since the original budget was submitted by the Bush administration, the amount that we made available for this bill has gone up by some \$2 billion which created the room to make this comparatively minor increase in abstinence education funding.

The Office of Management and Budget has submitted, we have made it available to the Members, their letter

supporting this increase in funding to abstinence education. Let us bring the account up from the 40 million it has in the bill to 73 million which will be the effect of this amendment. It is money that we can easily afford to fund. It keeps the commitment certainly of Mr. Bush, but more importantly than that, it keeps in place the values that we teach our kids and says we want to reinforce them and not to be undercutting them.

So, Mr. Chairman, I certainly move the adoption of this amendment that brings parity in the funding of these accounts and within the scope of a bill as large as this one is a comparatively minor adjustment.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Ohio (Mr. REGULA) insist on his point of order?

Mr. REGULA. Mr. Chairman, yes, I do.

The CHAIRMAN. The gentleman will state his point of order.

Mr. REGULA. Mr. Chairman, the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK) proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of budget authority in the bill.

The CHAIRMAN. Are there any other Members seeking to be heard on the point of order?

Mr. ISTOOK. Mr. Chairman, I wish to be heard.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. ISTOOK. Mr. Chairman, it is our understanding from the parliamentarian that it is necessary that the amendment be offered at a place in the bill where the first adjustment, the first offset is being made which is the point at which we have offered it in this bill.

Furthermore, it is dollar for dollar the same as the amount that is contained in those sections of the bill involving any sort of transfer.

I would ask the Chair to overrule the point of order.

The CHAIRMAN. Are there other Members who wish to be heard on the point of order? If not, the Chair will rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK) proposes a net increase in the level of budget authority or outlays in the bill as argued by the chairman of the subcommittee on appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

For that reason, the point of order is sustained.



## PARLIAMENTARY INQUIRY

Mr. ISTOOK. Mr. Chairman, would the Chair yield for a parliamentary inquiry?

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ISTOOK. Mr. Chairman, the inquiry is when the amounts are dollar for dollar the same as within the bill, upon reliance upon what documents can the Chair maintain that it is anything else than dollar for dollar the same amounts. If the Chair is referring to some extraneous document, I think we would like to be aware of that.

The CHAIRMAN. The gentleman from Oklahoma has the burden of proof to show that his amendment and budget authority and outlays is neutral.

Mr. ISTOOK. Mr. Chairman, I offer the fact that on the face of the amendment, it is dollar for dollar the same. If there is anything that says it is not the same, then this body is entitled to know, that we might proceed in order and make sure that valid issues can be undertaken.

The CHAIRMAN. Even if the gentleman's argument is correct, the outlays and budget authority must be neutral. The committee is arguing that, in fact, they are not. The Chair sustains the position of the committee.

Mr. ISTOOK. Mr. Chairman, nobody has given what they purport to be a differing amount of budget authority or outlay.

The CHAIRMAN. The gentleman has the burden of proof. If he has a CBO score, the Chair would be happy to receive it.

Mr. ISTOOK. Mr. Chairman, as a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ISTOOK. Mr. Chairman, if the Chair is referring to any document or source that purports that the BA is any different than the dollar for dollar that is in here, my parliamentary inquiry is upon what does the Chair rely?

The CHAIRMAN. The Chair is relying on assertions of the Committee on Appropriations. The burden of proof lies in the hands of the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, when the Chair says relying upon assertions, the only assertion that has been presented on the floor is the raising of the point of order contesting whether that is the case as opposed to a factual assertion that is the case. If the Chair is relying upon a factual assertion made by the committee or anyone else, that is what I seek to learn.

The CHAIRMAN. If the gentleman wishes to challenge the assertions of the committee, he must have evidence from the CBO.

Mr. ISTOOK. Mr. Chairman, the committee has not made an assertion. The committee has posed a question to the Chair. The Chair has said it has received an assertion but has not told us

the source. It has not said that assertion came on the floor in a document, through something extraneous, through this regular order.

The CHAIRMAN. The assertion of the subcommittee is from the gentleman from Ohio (Mr. REGULA), the subcommittee chairman.

Mr. ISTOOK. Mr. Chairman, parliamentary inquiry.

Does that mean that any time that the presenter of a bill on the floor raises a point of order asking the Chair whether something is in order between budget authority and outlay, that the Chair will automatically assume that the point of order is well taken? That seems to be the position that has been asserted.

The CHAIRMAN. The Chair would restate that the gentleman has the burden of proof. The gentleman from Oklahoma (Mr. ISTOOK) has the burden of proof.

Mr. ISTOOK. Mr. Chairman, so the burden of proof is not on the person raising the point of order? Is not that a shift of the burden of proof?

The CHAIRMAN. In this particular case it is on the offerer of the amendment.

Mr. ISTOOK. Mr. Chairman, parliamentary inquiry. Does the burden rest upon the person raising a point of order?

The CHAIRMAN. The offerer of any amendment always has the burden of proof to show that; the burden of proof in showing that their amendment would be in order.

Mr. ISTOOK. Mr. Chairman, does that mean that any person contesting any dollar amendment can always raise a point of order that it is not the same within budget authority and that point of order will automatically be sustained absent some outside authority?

The CHAIRMAN. The Chair would state that if it is a factual contention the offerer of the amendment must, in fact, provide the burden of proof.

Mr. ISTOOK. Mr. Chairman, I have contended that these are the same amounts, and you are saying that the factual assertion of a Member has no standing because of an arbitrary action.

The CHAIRMAN. It is long-standing precedent of the House shown on page 802 of the manual that the offerer of the amendment has the burden of proof under clause 2 of rule XXI.

Mr. ISTOOK. So, therefore, there is no burden of proof resting upon the person who raises a point of order under the Chair's ruling?

The CHAIRMAN. When there is a factual contention the burden of proof is on the offerer of the amendment.

Mr. ISTOOK. I thank the Chairman. We will reoffer the amendment as many times as are necessary to make sure that it is in order.

The CHAIRMAN. Are there further amendments to title I?

The Clerk will read.

The Clerk read as follows:

## TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

## HEALTH RESOURCES AND SERVICES ADMINISTRATION

## HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and sections 1128E and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, the Native Hawaiian Health Care Act of 1988, as amended, the Cardiac Arrest Survival Act of 2000, and the Poison Control Center Enhancement and Awareness Act, \$5,691,480,000, of which \$35,000,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under section 1820 of such Act: *Provided*, That of the funds made available under this heading, \$250,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further*, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further*, That fees collected for the full disclosure of information under the "Health Care Fraud and Abuse Data Collection Program," authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: *Provided further*, That no more than \$15,000,000 is available for carrying out the provisions of Public Law 104-73: *Provided further*, That of the funds made available under this heading, \$264,170,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further*, That \$649,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: *Provided further*, That, notwithstanding section 502(a)(1) of the Social Security Act, not to exceed \$116,145,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act. For special projects of regional and national significance under section 501(a)(2) of the Social Security Act, \$10,000,000: *Provided further*, That such amount shall not be counted toward compliance with the allocation required in section 502(a)(1) of such Act: *Provided further*, That such amount shall be used only for making competitive grants to provide abstinence education (as defined in section 510(b)(2) of such Act) to adolescents and for evaluations (including longitudinal evaluations) of activities under the grants and for Federal costs of administering the grants: *Provided further*, That grants shall be made only to public and private entities

which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which the abstinence education was provided: *Provided further*, That the funds expended for such evaluations may not exceed 3.5 percent of such amount.

#### HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, \$3,792,000.

#### VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed \$2,992,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

#### CENTERS FOR DISEASE CONTROL AND PREVENTION

##### DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, \$4,077,060,000, of which \$175,000,000 shall remain available until expended for equipment and construction and renovation of facilities, and of which \$137,527,000 for international HIV/AIDS shall remain available until September 30, 2003, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided*, That in addition to amounts provided herein, up to \$93,964,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the National Center for Health Statistics surveys: *Provided further*, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used to advocate or promote gun control: *Provided further*, That the Director may redirect the total amount made available under authority of Public Law 101-502, section 3, dated November 3, 1990, to activities the Director may so designate: *Provided further*, That the Congress is to be notified promptly of any such transfer: *Provided further*, That not to exceed \$10,000,000 may be available for making grants under section 1509 of the Public Health Service Act to not more than 15 States.

#### NATIONAL INSTITUTES OF HEALTH

##### NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, \$4,146,291,000.

##### NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$2,547,675,000.

##### NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, \$339,268,000.

##### NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, \$1,446,705,000.

##### NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, \$1,306,321,000.

Mr. SANDERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had an amendment that I am going to withdraw because I appreciate the work done by the chairman and ranking member on this issue. But I think when we talk about health care, it is important to raise the point about an aspect of health care that is not getting the attention that it needs, and that I would hope that in conference committee the chairman and the ranking member could help us address it. Mr. Chairman, that deals with the crisis in dental care in the United States of America.

I am more than aware of the overall crisis in health care. I strongly support a national health care program that would guarantee health care to every man, woman, and child. I think that we need to make fundamental changes in our health care system. But having said that, it is imperative to talk about something that is very rarely talked about. And that is all over the United States of America, we have children, we have adults, we have senior citizens, who simply cannot gain access to a dental office and get their teeth adequately dealt with.

I held a hearing in Montpelier, Vermont several months ago; and I was stunned to learn in my own city of Burlington we have low-income children who have teeth rotting in their mouths who cannot gain access to a dental office.

There are many reasons for the dental crisis. Number one, we do not have enough dentists in this country; and many of our dentists are getting old and are retiring. And we are not bringing enough younger people into the dental profession. Second of all, the kind of reimbursement rates we have for dental care on the Medicaid are inadequate. Thirdly, the dental clinics all over this country are not giving adequate support to dentistry.

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So, Mr. Chairman, if I may ask the chairman of the committee, my friend, the gentleman from Ohio (Mr. REGULA), if he could give me some assurance that in conference committee we can pay more attention than we have to the dental crisis which exists among low-income people in this country.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I think the bill has been pretty sensitive to research; but I believe what the gentleman is addressing is the providing of dental care, and that really would, I think, be a Ways and Means jurisdiction more so than our committee.

Mr. SANDERS. Reclaiming my time, Mr. Chairman, I would respectfully suggest to my friend that there are provisions in this bill which provide grants through the Rural Outreach Grants Program, which include dental programs, although primarily it is not dental. But I would hope that at conference committee time an effort could be made to expand funding or add funding to that in order to make sure that low-income kids in this country do not continue to have teeth rotting in their mouths.

Mr. REGULA. If the gentleman will continue to yield, I understand the problem. I dealt with the Bureau of Indian Affairs for many years, and they have probably as much in the way of dental problems as any group in our society. So I am sympathetic to it. However, it is a matter of where we get the resources to do that.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply respond by relating this story. I announced the opening of a dental clinic in a four-county area in my district last year. When I was at that clinic, one woman told me that she had a son who was very, very sick. Her husband was also very, very ill and could not work, so she was on Medicaid. She desperately needed a dentist to take the braces off that child's teeth. She could not find one, even though she had called over 30 dentists. As a result, she held the kid down, while the father took the braces off with a pair of pliers.

In my view, that should not happen to any American. I am for anything anywhere that can increase dental care providers and services, and I will do anything that is possibly within our reach to try to deal with the problem. Unfortunately, as the gentleman says, most of what needs to be done is within the Medicaid area, over which this committee does not have jurisdiction.

Mr. SANDERS. Reclaiming my time once again, Mr. Chairman, I thank the



gentleman from Wisconsin for his comments.

I will withdraw my amendment, Mr. Chairman, with the hope that all of us can focus on a major crisis that exists all over this country, perhaps most clearly in rural America, and with the hope that we can work together to begin effectively addressing this.

Mr. QUINN. Mr. Chairman, I move to strike the last word, and I thank the gentleman from Ohio for allowing me the opportunity to talk just for a few minutes about the Low-Income Home Energy Assistance Program, otherwise known as LIHEAP. I want to thank the subcommittee for the \$1.7 billion in regular and the \$300 million in emergency appropriations for LIHEAP in this bill. This is a generous increase over the President's request, and I believe it will make a significant difference in the lives of many poor people this winter.

The amendment I would have submitted, but which I will withdraw and have withdrawn, would have made advance appropriations for \$2 million for LIHEAP for fiscal year 2003, guaranteeing the State LIHEAP administrators a firm figure upon which to plan their advances for next winter. Although there is language in the 2002 budget resolution allowing advance appropriations for LIHEAP, the Committee on Rules this past week did not grant a waiver and the amendment was ruled out of order.

We all know that these LIHEAP funds are most efficiently used when the State LIHEAP administrators know how much money they are going to get before they open up their programs. Winter heating programs need to be prepared for in August before the appropriations have been made. We seem to fight this battle and have the discussion each year. Winter heating seasons, particularly when the appropriations process has been delayed beyond the beginning of the fiscal year, need to begin before the funding generally arrives.

Mr. Chairman, advance appropriations would allow the LIHEAP administrators to know prior to the beginning of the fiscal year what resources they will have to work with. They could therefore plan for a certain amount of money, determine how many applicants they will be able to help, stretch each dollar to its maximum extent, and provide a measure of reassurance for households who very well may have to choose between heat and food.

This is of particular concern this year. I would like to remind my colleagues that the LIHEAP cases were up 30 percent last winter, but most States were only able to help about 15 percent of their applicants. In the emergency appropriations bill passed this summer, there was \$300 million in LIHEAP funding. This money should have been dis-

tributed immediately to help the families with children and the elderly who were unable to pay for their heating bills from last winter.

The Department of Health and Human Services has signed off on the money; but because OMB has not released the funding, these people are in even worse situation than they were this past summer. Still behind in their bills, still cut off, some of them, from heat, gas, and electricity, and winter is at our doorstep.

I would like to urge the House to press for the release of these emergency LIHEAP funds by OMB immediately and also to allow advance appropriations for this vital and important program next year.

I want to thank the chairman, on behalf of the Northeast-Midwest coalition here in the House, made up of States in our region, Members of both parties, for his attention to this matter.

Mr. WICKER. Mr. Chairman, will the gentleman yield?

Mr. QUINN. I yield to the gentleman from Mississippi.

Mr. WICKER. Mr. Chairman, I would simply say there has been no greater advocate for the LIHEAP program than my friend from New York, and I appreciate his efforts and I appreciate his remarks. His compliments were directed toward the chairman of the subcommittee; but I think also it is fair to say that the ranking member and the chairman have worked closely together, and I appreciate his acknowledgment of the generosity of the bill as it is with regard to LIHEAP. I would reiterate that the bill includes the highest funding level ever provided for the LIHEAP program at \$2 billion.

So I thank the gentleman for his efforts. I am sure he will persevere in the particular idea which he had for us today.

Mr. QUINN. Reclaiming my time, Mr. Chairman, I thank the gentleman very much. We appreciate the cooperation we received from both sides of the aisle in the subcommittee and the full committee.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word to engage in a colloquy with my colleague from California.

Mr. Chairman, I had intended to offer an amendment designed to correct an inequity in current law which penalizes students who attend low-cost colleges. Since 1973, the Federal Pell Grant program has helped nearly 80 million low- and middle-income students pay for college. At just one community college in my district, Glendale Community College, about 3,500 students receive Pell grants each year. And while their tuition may be less than \$1,000 for an academic year, the full cost of attendance for a 9-month academic year is estimated to be over \$5,600; and that is for a student living at home with parents or relatives.

Unfortunately, these students and others at community colleges in California do not receive the full Pell grant award. At these colleges, books can often surpass the cost of tuition; and add to that other costs and fees of higher education, and there is an enormous burden on the lowest-income students. The tuition sensitivity provision unfairly penalizes these students in States like California, which have kept tuition low by strong State support for higher education. These are the poorest students at the least expensive schools.

My colleagues might be wondering why they have not heard of the tuition-sensitivity provision. The answer is that right now this rule only affects California students. However, as the Pell grant increases, the tuition-sensitivity rule will limit financial aid to students in other States, like Texas, North Carolina, Arkansas, Arizona, New Mexico, and Oklahoma, just to name a few.

By repealing the tuition-sensitivity trigger, we assure fairness and equity; we incentivize States to support higher education, not back away from funding. I want to thank my colleague, the gentleman from California (Mr. McKEON), for all his work on this issue and his willingness to work together in the reauthorization process. He has done an extraordinary job for the students of California.

Mr. McKEON. Mr. Chairman, will the gentleman yield?

Mr. SCHIFF. I yield to the gentleman from California.

Mr. McKEON. Mr. Chairman, I thank the gentleman, my good friend and neighbor from California, for yielding; and I appreciate the opportunity to discuss this very important issue.

I want to assure my friend that I am very much aware of the Pell grant tuition-sensitivity provisions in current law that limit the ability of California's lowest-income community college students from receiving the maximum Pell grant award. As the chairman of the Subcommittee on 21st Century Competitiveness, which has jurisdiction over higher-education issues, I have long been a strong supporter of addressing the tuition-sensitivity provision.

The tuition-sensitivity provision in the Higher Education Act precludes students, as the gentleman said, from the lowest-cost institutions, like those attending California community colleges, from receiving their full Pell grant eligibility. This affects almost 180,000 students from the California community college system alone.

I want to assure my friend that he has my full commitment to work diligently to find a solution to this problem. I am eager to work with him and others as we move into the reauthorization of the Higher Education Act in the next Congress to ensure that all students have access to quality education.

Mr. SCHIFF. Reclaiming my time, Mr. Chairman, I thank my colleague for all his effort on behalf of the students in California and around this country. I very much look forward to working with him. I also want to thank the chairman and the ranking member for their consideration today.

The CHAIRMAN. Are there other amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

NATIONAL INSTITUTE OF ALLERGY AND  
INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, \$2,337,204,000: *Provided*, That the Director may transfer up to \$25,000,000 to International Assistance Programs, "Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis," to remain available until expended.

NATIONAL INSTITUTE OF GENERAL MEDICAL  
SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, \$1,706,968,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND  
HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, \$1,088,208,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, \$566,725,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL  
HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, \$557,435,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, \$873,186,000.

NATIONAL INSTITUTE OF ARTHRITIS AND  
MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, \$440,144,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER  
COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, \$334,161,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, \$116,773,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND  
ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, \$379,026,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, \$900,389,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, \$1,228,780,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, \$423,454,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING  
AND BIOENGINEERING

For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering, \$39,896,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, \$966,541,000: *Provided*, That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants: *Provided further*, That \$97,000,000 shall be for extramural facilities construction grants, of which \$5,000,000 shall be for beginning construction of facilities for a Chimp Sanctuary system as authorized in Public Law 106-551.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, \$56,021,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, \$273,610,000, of which \$4,000,000 shall be available until expended for improvement of information systems: *Provided*, That in fiscal year 2002, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

NATIONAL CENTER FOR COMPLEMENTARY AND  
ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, \$99,288,000.

NATIONAL CENTER ON MINORITY HEALTH AND  
HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, \$157,204,000.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, \$232,098,000, of which \$53,540,000 shall be for the Office of AIDS Research: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: *Provided further*, That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: *Provided further*, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: *Provided further*, That all funds credited to the National Institutes of Health Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For the study of, construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, \$311,600,000, to remain available until expended, of which \$26,000,000 shall be for the John Edward Porter Neuroscience Research Center: *Provided*, That notwithstanding any other provision of law, single contracts or related contracts, which collectively include the full scope of the project, may be employed for the development and construction of the first and second phases of the John Edward Porter Neuroscience Research Center: *Provided further*, That the solicitations and contracts shall contain the clause "availability of funds" found at 48 CFR 52.232-18: *Provided further*, That the Director may transfer up to \$75,000,000 to International Assistance Programs, "Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis," to remain available until expended.

SUBSTANCE ABUSE AND MENTAL HEALTH  
SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH  
SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, \$3,131,558,000.

AGENCY FOR HEALTHCARE RESEARCH AND  
QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, \$168,435,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: *Provided*, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed \$137,810,000.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$106,821,882,000, to remain available until expended.

For making, after May 31, 2002, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2002 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2003, \$46,601,937,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under section 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of



Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$81,924,200,000.

#### PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed \$2,361,158,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and section 1857(e)(2) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further*, That \$18,200,000 appropriated under this heading for the managed care system redesign shall remain available until expended: *Provided further*, That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2002 from Medicare+Choice organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: *Provided further*, That, for the current fiscal year, not more than \$680,000,000 may be made available under section 1817(k)(4) of the Social Security Act (42 U.S.C. 1395i(k)(4)) from the Health Care Fraud and Abuse Control Account of the Federal Hospital Insurance Trust Fund to carry out the Medicare Integrity Program under section 1893 of such Act.

#### HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 2002, no commitments for direct loans or loan guarantees shall be made.

#### ADMINISTRATION FOR CHILDREN AND FAMILIES

##### PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$2,447,800,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2003, \$1,100,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV-A of the Social Security Act before the effective date of the program of Temporary Assistance to Needy Families (TANF) with respect to such State, such sums as may be necessary: *Provided*, That the sum of the amounts available to a State with respect to expenditures under such title IV-A in fiscal year 1997 under this appropriation and under such title IV-A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

#### LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$1,700,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$300,000,000: *Provided*, That these funds are for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of the Act and notwithstanding the designation requirement of section 2602(e) of such Act: *Provided further*, That these funds are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

#### REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), \$450,224,000: *Provided*, That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act for fiscal year 2002 shall be available for the costs of assistance provided and other activities through September 30, 2004: *Provided further*, That up to \$10,000,000 is available to carry out the Trafficking Victims Protection Act of 2000.

For carrying out section 5 of the Torture Victims Relief Act of 1998 (Public Law 105-320), \$10,000,000.

#### PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), \$2,199,987,000 shall be used to supplement, not supplant state general revenue funds for child care assistance for low-income families: *Provided*, That \$19,120,000 shall be available for child care resource and referral and school-aged child care activities: *Provided further*, That, in addition to the amounts required to be reserved by the States under section 658G, \$272,672,000 shall be reserved by the States for activities authorized under section 658G, of which \$100,000,000 shall be for activities that improve the quality of infant and toddler care: *Provided further*, That \$10,000,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

#### SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$1,700,000,000: *Provided*, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

#### CHILDREN AND FAMILIES SERVICES PROGRAMS (INCLUDING RESCISSECTIONS)

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Native American Programs Act of 1974, title II of Public Law 95-266 (adoption opportunities), the Adoption and Safe Families Act of 1997 (Public Law 105-89), the Abandoned Infants Assistance Act of 1988, part B(1) of title IV and sections 413, 429A, 1110, and 1115 of the Social Security Act, and sections 40155, 40211, and 40241 of Public Law 103-322; for making payments under the Community Services Block Grant Act, section 473A of the Social Security Act, and title IV of Public Law 105-285, and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, section 5 of the Torture Victims Relief Act of 1998 (Public Law 105-320), sections 40155, 40211, and 40241 of Public Law 103-322, and section 126 and titles IV and V of Public Law 100-485, \$8,275,442,000, of which \$43,000,000, to remain available until September 30, 2003, shall be for grants to States for adoption incentive payments, as authorized by section 473A of title IV of the Social Security Act (42 U.S.C. 670-679) and may be made for adoptions completed in fiscal years 2000 and 2001; of which \$620,000,000 shall be for making payments under the Community Services Block Grant Act; and of which \$6,475,812,000 shall be for making payments under the Head Start Act, of which \$1,400,000,000 shall become available October 1, 2002, and remain available through September 30, 2003: *Provided*, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carry-over into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary shall establish procedures regarding the disposition of intangible property which permits grant funds, or intangible assets acquired with funds authorized under section 680 of the Community Services Block Grant Act, as amended, to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant.

Funds appropriated for fiscal year 2002 under section 429A(e), part B of title IV of the Social Security Act shall be reduced by \$6,000,000.

Funds appropriated for fiscal year 2002 under section 413(h)(1) of the Social Security Act shall be reduced by \$15,000,000.

#### PROMOTING SAFE AND STABLE FAMILIES

For carrying out subpart 2 of part B of title IV of the Social Security Act, \$305,000,000. In addition, for such purposes, \$70,000,000 to carry out such subpart.

#### PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$4,885,600,000;

For making payments to States or other non-Federal entities under title IV-E of the Social Security Act, for the first quarter of fiscal year 2003, \$1,754,000,000.

ADMINISTRATION ON AGING  
AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and section 398 of the Public Health Service Act, \$1,144,832,000.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, \$333,036,000, together with \$5,851,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: *Provided*, That of this amount \$50,000,000 shall be available for minority AIDS prevention and treatment activities; and \$25,000,000 shall be available for an Information Technology Security and Innovation Fund for Department-wide activities involving cybersecurity, information technology security, and related innovation projects: *Provided further*, That no funds shall be obligated for minority AIDS prevention and treatment activities until the Department submits an operating plan to the House and Senate Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$35,786,000: *Provided*, That, of such amount, necessary sums are available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. section 228: *Provided further*, That, for the current fiscal year, not more than \$130,000,000 may be made available under section 1817(k)(3)(A) of the Social Security Act (42 U.S.C. 1395i(k)(3)(A)) from the Health Care Fraud and Abuse Control Account of the Federal Hospital Insurance Trust Fund for purposes of the activities of the Office of Inspector General with respect to the Medicare and Medicaid programs.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$28,691,000, together with not to exceed \$3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act and title III of the Public Health Service Act, \$2,500,000: *Provided*, That in addition to amounts provided herein, funds from amounts available under section 241 of the Public Health Service Act may be used to carry out national health or human services research and evaluation activities: *Provided further*, That the expenditure of any funds available under section 241 of the Public Health Service Act are subject to the requirements of section 205 of this Act.

RETIREMENT PAY AND MEDICAL BENEFITS FOR  
COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection

Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES  
EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, disease and chemical threats to civilian populations, \$300,619,000: *Provided*, That this amount is distributed as follows: Centers for Disease Control and Prevention, \$231,919,000, of which \$52,000,000 shall remain available until expended for the National Pharmaceutical Stockpile; and Office of Emergency Preparedness, \$68,700,000.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103-43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

(TRANSFER OF FUNDS)

SEC. 206. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfer: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 207. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Congress is promptly notified of the transfer.

SEC. 208. Of the amounts made available in this Act for the National Institutes of

Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 209. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 210. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare+Choice organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 211. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 212. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x-26) if such State certifies to the Secretary of Health and Human Services by May 1, 2002 that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State is to maintain State expenditures in fiscal year 2002 for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for fiscal year 2001, and adding to that level the additional funds for tobacco compliance activities required under subsection (a). The State is to submit a report to the Secretary on all fiscal year 2001 State expenditures and all fiscal year 2002 obligations for tobacco prevention and compliance activities by program activity by July 31, 2002.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the



certification described in subsection (a) as late as July 31, 2002.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 from a territory that receives less than \$1,000,000.

SEC. 213. (a) In order for the Centers for Disease Control and Prevention to carry out international HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2002, the Secretary of Health and Human Services is authorized to—

(1) utilize the authorities contained in subsection 2(c) of the State Department Basic Authorities Act of 1956, as amended, subject to the limitations set forth in subsection (b), and

(2) enter into reimbursable agreements with the Department of State using any funds appropriated to the Department of Health and Human Services, for the purposes for which the funds were appropriated in accordance with authority granted to the Secretary of Health and Human Services or under authority governing the activities of the Department of State.

(b) In exercising the authority set forth in subsection (a)(1), the Secretary of Health and Human Services—

(1) shall not award contracts for performance of an inherently governmental function; and

(2) shall follow otherwise applicable Federal procurement laws and regulations to the maximum extent practicable.

SEC. 214. The Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals.

SEC. 215. Of the funds appropriated for the National Institutes of Health for fiscal year 2002, \$2,875,000,000 shall not be available for obligation until September 30, 2002.

This title may be cited as the “Department of Health and Human Services Appropriations Act, 2002”.

Mr. REGULA (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELDON of Florida:

At the end of title II, insert after the last section (preceding the short title) the following section:

SEC. 2. Of the amounts made available in this title under the heading “HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES”, \$60,000,000 of the amount made available for carrying out part A of title XXVI of the Public Health Service Act is transferred and made available under such heading for the State AIDS Drug Assistance Programs authorized by section 2616 of such Act, in addition to other amounts available under such heading for such State AIDS Drug Assistance Programs.

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) reserves a point of order on the amendment.

The gentleman from Florida (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Chairman, my amendment shifts \$60 million from title II of the Ryan White CARE Act to title I of the Ryan White CARE Act.

What my amendment does is to recognize that fully funding of the AIDS Drug Assistance Program, or ADAP, should receive highest priority. This is a question of life-sustaining drugs versus programs and other services for those with AIDS. One thing we do know, programs and services are of little use if AIDS patients do not have access to life-sustaining drugs.

We have all been visited by those who run the ADAP programs in our States expressing concerns about the shortfall in funding for this critical program. We know that last year hundreds of AIDS patients were unable to access basic lifesaving medication not in Africa, but here in the United States.

As I have shared on this floor before, as a practicing physician prior to coming to Congress in 1995, I provided medical care to hundreds of HIV/AIDS patients. I was one of only two physicians in my community that took care of more than 400,000 people who provided care for AIDS patients, and I know how critical access to life-sustaining drugs can be.

After Medicaid, ADAP is the single most important Federal program for Americans living with AIDS and HIV. ADAP is the component of title II of the Ryan White CARE Act that provides AIDS medications to Americans living with HIV that have no other source of medical coverage.

According to the National Organizations Responding to AIDS, or NORA, the Federal-State partnership in title II ADAP has significantly contributed to the decline in AIDS deaths since 1995. NORA, which is comprised of 175 organizations concerned about AIDS, recommends that a \$124 million increase over last year's ADAP appropriation is necessary to ensure that every American infected with AIDS is provided access to life-saving AIDS medications.

The House appropriations bill funds about half of this shortfall.

The ADAP working group wrote: “We will absolutely be in very serious difficulties if this appropriation isn't raised.”

□ 1515

Mr. Chairman, a lack of the needed \$60 million above what is currently in the House bill means more than 5,000 Americans with HIV, on top of those already on the waiting list for ADAP, will not have access to the important life-sustaining combination drug therapies.

Allowing Americans with HIV to stand on waiting lists for access to HIV medications is simply not acceptable. Every State, territory, congressional district, and individual living with HIV with no other access to AIDS medication is dependent on ADAP. Women and those in minority communities living with HIV/AIDS disproportionately rely on ADAP for their AIDS medications.

My amendment closes the \$60 million shortfall in ADAP. Unlike ADAP, title I is limited and only serves 51 cities across the country. One of those cities, San Francisco, receives twice the amount per AIDS case as every other city in the country. While title I services provide support for some AIDS patients, not all of these services have the same life-saving impact as ADAP.

Also, while the majority of the programs funded through title I Large Cities Program are worthwhile, many of them are not as critical as the ADAP program. Also of concern is the fact that the Senate recently asked the HHS Inspector General to review some of the very questionable programs that these funds are being used to support. I have received some of these reports on these questionable programs, and I think any reasonable person would conclude that ADAP should receive higher priority.

It is clear to me that with the shift in funding, there is plenty of room to accommodate important title I programs like Primary Care, while shifting \$60 million to purchasing life-sustaining drugs. I urge my colleagues to vote in support of my amendment. The failure to shift this funding will leave 6,400 individuals, primarily women and minorities, waiting in line for life-sustaining AIDS drugs.

Mr. Chairman, I encourage my colleagues to vote “yes” on this amendment.

The CHAIRMAN. Does the gentleman from Wisconsin (Mr. OBEY) insist on his point of order?

Mr. OBEY. Mr. Chairman, my understanding is that this amendment is really in the form of a limitation; and, therefore, it should be coming at the end of the bill. I think I would be within my rights if I made a point of order at this point. But out of courtesy to the gentleman and in order to save time, I will withdraw the reservation.

The CHAIRMAN. The point of order is withdrawn.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me simply say that I oppose the amendment of the gentleman from Florida for one very simple reason: it is very easy for any individual Member to second guess what this Committee has done and come to the floor and say we should have put \$10 million here rather than having put \$10 million there. I have seen many a Member come to the floor;

and no matter how high we have had an individual account, some have said to me, frankly, no matter what the committee puts in, I will offer an amendment to add \$10 million or \$20 million because that way they get their day in court.

Mr. Chairman, I suggest in this instance we should not do that. The gentleman is trying to take \$60 million out of an account that has received a \$15 million increase. He is trying to put the money into an account that has received a \$60 million increase. This account has already been increased four times as much as the account that the gentleman is trying to take money out of.

Secondly, the treatment grants that the gentleman seeks to cut in fact under this amendment are being cut below last year's level. I do not believe that we ought to do that. I would urge Members of the House to respect the many hours of hearings that we have held on these subjects. These are all judgment calls. I respect the gentleman's right to offer the amendment, but I would urge that Members stick with the committee.

There will be amendments today that I am very much in favor of personally, but which I will oppose because we have an understanding that we are going to try to resist all amendments from either side of the aisle in order to keep the delicately balanced bipartisan bill, which it is at this point; and I would not want to begin to unravel that. Besides, substantively I believe the gentleman is in error in seeking to make the reduction that he is in this account. I would urge defeat of the amendment.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for not insisting on his point of order.

Mr. Chairman, I do not plan on asking for a recorded vote on this amendment because I understand there is a very delicate balance here; and I have another amendment that I will probably ask for a recorded vote on. But I just raise the point to say that the accounts where I am trying to move money out of, there is one particular account where I think there has been a fair amount of money spent very unwisely; and the account that I am trying to put this money into I think is a very good use of the limited resources that we have. That is why I seek to offer the amendment.

Mr. OBEY. Mr. Chairman, reclaiming my time, I appreciate that. That again illustrates what Will Rogers said when he said when two people agree on everything, one of them is unnecessary.

The gentleman's opinion may very well be the sound one; ours may very well be the sound one. But in this in-

stance, this bill is the unanimous product of the Committee; and I think we have made the best judgment about where the money ought to go under the circumstances, and I would urge that we not cut this program. This treatment program would be cut below last year's level; and given the problem that we have with this issue, I do not think that we ought to be doing that.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the gentleman is not going to ask for a recorded vote, but just to reiterate what he recognizes, too, this is a delicately balanced bill. We tried to balance all of the priorities. This is a good example of it.

The Ryan White program serves a lot of people. This amendment would cut out services to about 11,000 people; and it does focus on the big cities. I think what the gentleman is expressing concern for is right. It is just that we do not have enough money to do everything that we would like to do. I congratulate the gentleman for his concern and for the other areas that he sees as underserved by ADAP.

Ms. PELOSI. Mr. Chairman, I rise in strong opposition to this amendment to take money from primary care services delivered by Title I and move it to the drug purchasing ADAP program. Delivering drugs to the people who need them requires the strong infrastructure established under Title I. Without that infrastructure, we will have a bigger pool of money with which to buy drugs, but fewer people able to take advantage of these life-saving medications. The amendment will merely provide a windfall to the pharmaceutical companies that manufacture these drugs while hurting the people who need them.

The AIDS cocktail involves a complex daily drug regimen. To be effective, drugs must be taken in a consistent manner following every instruction exactly. Failure to do so can result in the medication becoming ineffective in a person. In addition, these medications can have severe side effects, including liver problems, dramatically increased cholesterol, and diabetes. People taking these medications need access to the primary care and support services provided by Title I to ensure proper compliance and effective treatment for any side effects.

Title I benefits the majority of people living with HIV in this country. More than 75% of Americans with HIV reside in the 51 areas that receive Title I funding. Without this funding, the public health systems in these areas will face a major challenge that they are unable to meet. The Ryan White CARE Act was created to prevent such a situation. Also, the CARE Act was designed to provide comprehensive medical services to people with HIV. This amendment will undermine that goal by focusing on only one aspect of treatment.

AIDS medications have been remarkably successful and allowed people to live much longer with a better quality of life. However, this success also means that more people than ever are living with HIV and AIDS in the US and require the services delivered through Title I of the CARE Act. Many who are HIV-

positive also have other pressing health concerns, such as Hepatitis C, mental disorders and substance abuse problems. To deal with these challenges, people rely on the overall health infrastructure provided by Title I and cannot be helped by merely receiving AIDS drugs.

I urge my colleagues to oppose the Weldon Amendment.

Mr. NADLER. Mr. Chairman, I rise in strong opposition to the Weldon amendment. This misguided amendment is the very essence of robbing Peter to pay Paul. While I support the worthy goal of increasing the appropriation for the Aids Drug Assistance Program, I cannot do so at the expense of Title I of the Ryan White program.

No one can argue with Dr. WELDON that ADAP funding must be significantly increased. ADAP is a vital program that is severely underfunded. But his answer is truly perverse. He attacks the very infrastructure needed to deliver these important services. If he slashes funding for Title I, he will only make it harder for people living with HIV and AIDS to receive the medication they need under ADAP.

Let's look at what Title I does. Title I directs funding to the metropolitan areas that are home to about 74 percent of all individuals diagnosed with AIDS in the United States. The areas eligible for Title I funding are magnets for individuals from all of the surrounding areas who are in need of the critical primary care and supportive services provided under this program. Whether it's primary health care, dental care, substance abuse treatment, legal services, transitional housing, transportation, or nutritional care, Title I provides the bedrock safety net that people living with HIV and AIDS depend on. The bottom line is that people will die without these services.

If Dr. WELDON wants to increase funding for ADAP, as he should, the answer is not to attack Title I. The answer is to increase the total appropriation. Despite a request for flat funding from the President, I am pleased that the committee provided for a modest increase in Ryan White funding. However, the need is far greater still. Title I alone would require a 30 million dollar increase just to keep pace with inflation. With the modest 17 million dollar increase provided, services will already have to be scaled back and needs will go unmet. To further cut 60 million dollars from this program would be simply devastating.

Indeed, ADAP is significantly underfunded, as well. But the success of the ADAP program, which has kept thousands of people alive, makes the need for Title I money all the greater. As people live longer, they rely on the services provided by Title I. This amendment might temporarily plug one hole, but it would create a much larger one elsewhere. Vote against this dangerous amendment.

Mr. JACKSON of Illinois. Mr. Chairman, I rise in strong opposition to the amendment of the gentleman from Florida.

The gentleman's amendment proposes to take \$60 million in funding from Title I of the Ryan White CARE Act and transfer it to the AIDS Drug Assistance Program.

While both of these are critical components of the Ryan White CARE Act, we cannot support moving money from one critical program in the CARE Act to another critical program.



Our nation's response to the HIV/AIDS crisis must be comprehensive and integrated. While the ADAP program needs additional funds, these additional resources should not come from money approved for other bipartisan-supported CARE Act programs, such as Title I, which provides relief to metropolitan areas—like New York and Chicago—that are disproportionately affected by HIV/AIDS. Title I funds support comprehensive HIV health care and treatment and essential services for low-income uninsured and underserved persons living with HIV/AIDS.

Title I provides funds to the most impacted cities for the delivery of critical medical and support service and medications. We cannot take medical services away to provide the increase for ADAP. Funding for the needed increase for ADAP must come from another source, not a medical and support service delivery program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. WELDON).

The amendment was rejected.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to call attention to the need for an additional \$5 million for fiscal year 2002 to the Department of Labor's International Bureau of Labor Affairs, also known as ILAB, for programs that promote workplace-based HIV-AIDS education and prevention programs and the well-being of children orphaned by HIV-AIDS in developing countries.

More than 36 million people are living with HIV-AIDS worldwide, and more than 10 million children in sub-Saharan Africa alone have lost their parents to this disease. The number of AIDS orphans could climb to more than 40 million by 2010. Mr. Chairman, 40 million orphans in Africa is equal to the number of children east of the Mississippi River in this country. This amount of money equates to less than 13 cents per year per orphan to improve their lives and help make them productive members of their society.

The global HIV-AIDS pandemic is an extremely serious issue that demands our continued attention, and one way to address the crisis is to promote workplace-based education and prevention programs. The ILAB has undertaken an innovative program to address HIV-AIDS through the workplace as part of its efforts to promote safer, healthier, and more productive work environments.

ILAB has already launched a workplace pilot project in the Republic of Malawi in southern Africa. Increased funding will enable ILAB to expand workplace HIV-AIDS education and prevention programs into other developing countries. It will also enable a joint initiative with the Department of Labor's International Child Labor Program to develop programs aimed at children affected by HIV-AIDS.

Mr. Chairman, this is a relatively simple transfer of dollars. The funding

for this program comes from the account that contains Job Corps, which receives \$75 million more than requested, more than double for fiscal year 2002. This is more than Job Corps can reasonably manage within 1 year, and so we are asking that \$15 million be considered. It is only a general funds transfer if it is considered in conference, but it is very important that the intended destination is discussed during floor statements today.

The Congressional Budget Office indicated that a \$15 million decrease and \$5 million increase was the only way this would work with management and Department outlays. We certainly know that there is a serious and strategic need. This international HIV-AIDS workplace education program has developed a strategic plan for workplace-based HIV-AIDS education focusing on the following three components: prevention education stressing behavioral responsibility, gender issues, and concepts relating to care and support; workplace policy development addressing issues of stigma and discrimination; and capacity building activities for government, employers, and labor to strengthen the response to this crisis.

In the year 2000, IHWEP launched a workplace education pilot project in the Republic of Malawi, implemented by the nongovernmental organization Project HOPE, which is based in Millwood, Virginia.

A task force cochaired by Senators FRIST and KERRY have deemed the issue of AIDS orphans a high priority. These young people are heads of households now that they have no parents; and it provides them with care, vocational training, as well as microfinance opportunities. It aims to enable child-headed households to develop an income-generating skill and reduce the likelihood that they will resort to working in areas where their health and safety may be compromised.

Mr. Chairman, I would sincerely ask that the conference committee consider this request. It is of grave need.

Mr. CARSON of Oklahoma. Mr. Chairman, I move to strike the last word.

Mr. Chairman, today I rise to thank the gentleman from Florida (Chairman YOUNG) and the ranking member, the gentleman from Wisconsin (Mr. OBEY), for their leadership on this complex and difficult appropriations bill; and particularly to express my appreciation for the increase of \$10 million to the State Survey and Certification program funded under the Centers for Medicare and Medicaid Services.

The State Survey and Certification program provides States with money to conduct inspections of facilities serving Medicare and Medicaid beneficiaries, and fund the Nursing Home Oversight Improvement Program. The need for adequate funding of these two

programs has become painfully clear when we are reminded that 5,283 nursing homes, one out of three nursing homes, were cited for an abuse violation in the last 2 years.

At a time when the Department of Health and Human Services has estimated almost half of all 65-year-olds will use a nursing home at some point during their lives, this is unacceptable and immoral. Today there are 1.5 million people who live in nursing homes, and this figure is expected to rise to 6.6 million by the year 2050. Our loved ones should not be made to fear inadequate care and abuse when entering a nursing home for the first time.

Additional funding for this program is sorely needed. This additional funding that we will agree to today will be distributed to the States to cover survey and complaint visit workloads.

When the daughter of someone living in a nursing home notices that her mother is not receiving adequate care, she should immediately call her State Department of Health to report a complaint or evidence of abuse. However, in my home State of Oklahoma, as in many other States, these complaints are not investigated in a timely manner.

□ 1530

The State Department of Health simply does not have adequate funding to hire and train enough inspectors to investigate all of the complaints submitted. And most family members are left without any other possible recourse, unable to afford home health care or staying home from work to care for their loved one themselves. How, then, can we justify pouring Federal money into these facilities as so much of our taxpayer dollars do flow into nursing homes when the government cannot ensure the safety of the residents?

To ensure their safety, we must continue to increase funding to CMS's State survey and certification program. An increase of only \$10 million for fiscal year 2002 is a good start but is certain not to address the many needs that will expand in years to come.

Again, I thank the chairman and ranking member for their work on this issue and for increasing funding to this important program by \$10 million. Nevertheless, I ask that you continue to work for increased funding of this vitally important program in the conference committee and in future fiscal years. Knowing the commitment of both of these gentlemen to this important issue, I know that they will work with me to see that this is done.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. CARSON of Oklahoma. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I simply want to thank the gentleman for his

interest in this program. I know he has been most interested in seeing that we appropriate as much money as possible for the inspection of nursing homes and I appreciate his leadership on this issue.

Mrs. ROUKEMA. Mr. Chairman, I move to strike the last word and engage Chairman REGULA in a colloquy.

Mr. Chairman, in H.R. 3061, the elementary school counseling program is funded in this bill at \$30 million, which is last year's appropriations level. The counseling program is the only Federal program designed to increase student access to qualified school-based mental health professionals. It is a vital program and particularly relevant and timely in the wake of the World Trade Center tragedies and the increasing violence levels in our schools.

Mr. Chairman, experts tell us that the psychiatric consequences of traumas of this kind, social traumas of this kind, may not show up for weeks or months in the form of post-traumatic stress disorder or other serious mental and emotional problems. I am particularly concerned about the effects this will have on our children. As the gentleman may well remember, the National Institute for Mental Health, following the Oklahoma City bombing, did a great in-depth study and it demonstrated that it took months, if not years, for the development of mental health problems in children not directly affected by the traumatic event.

Mr. Chairman, I am concerned that our schools are not adequately equipped to address the mental health needs of our students. Even before September 11, our Nation was experiencing an urgent need for school-based mental health services, and this is certainly evidenced by problems such as bullying, aggressive behavior, substance abuse and violence in the schools. We know that. We have all been familiar with it.

I would like to particularly point out to the chairman and to our colleagues here that back in January of this year, Dr. David Satcher, the Surgeon General, released a report on youth violence which identified mental health services as a necessary component of effective programs to prevent youth violence.

Mr. Chairman, children spend a large percentage of their time in school. Teachers and other professionals have the chance to identify potential problems and get children the help they need. Mental health programs in a school environment make good sense. With a small increase in funding for school-based mental health services, we will see dramatic, far-reaching effects.

To conclude, I would like to state to the chairman, clearly there are many objective reasons to assert the need for increased funding. Indeed, other programs in this bill have increased fund-

ing, including a new mentoring program which is funded at the same level as the counseling program. I would simply like to ask the chairman if he could work in conference to increase funding for this program to ensure that the mental health needs of our Nation's children are appropriately addressed. Again, let me say, this is a cost-effective investment. Providing mental health services now will avert far more significant problems and far more costly problems in the future.

Mr. REGULA. Mr. Chairman, will the gentlewoman yield?

Mrs. ROUKEMA. I yield to the gentleman from Ohio.

Mr. REGULA. I thank the gentlewoman for her comments and assure her that I will work in conference to increase funding for the elementary school counseling program.

Mrs. ROUKEMA. I thank the chairman. I appreciate his attention and this colloquy.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to first associate myself with the remarks of the gentlewoman from New Jersey whose leadership in the area of mental health parity has been well known and whose work in this area is something I applaud greatly.

It is also a great pleasure for me, Mr. Chairman, to rise in strong support of this bipartisan bill. Before I get into the substance of this legislation, I would like to commend both our chairman, Chairman REGULA, as well as our ranking member, our Democratic leader on this committee, our ace-in-the-hole, DAVID OBEY, for the fantastic work that he has done to make this a very open and inclusive process.

Also, Mr. Chairman, as a new member of the committee, I would like to acknowledge the work of the staff who have managed to put a very difficult piece of legislation into proper order. I especially want to thank Cheryl Smith and David Reich and Christina Hamilton all for their good work as well as to acknowledge my own staff member, Matt Braunstein, for the great work he has done in offering his enthusiasm and dedication to this effort.

On the issues, Mr. Chairman, I would like to be noted for speaking up as the gentlewoman from New Jersey has just done in the area of mental health. Right now, according to the World Health Organization, mental illnesses are the second most disabling family of diseases in industrialized nations, trailing only cardiovascular diseases. According to the Surgeon General, more than 54 million Americans, about 20 percent, have a mental disorder in any given year, although fewer than 8 million even seek treatment. This is obviously because of insurance barriers as well as the overwhelming stigma that continues to exist when it comes

to diseases of the brain, which are somehow not equated to diseases of the rest of the body for some strange reason.

Mr. Chairman, it is my opinion that the mental health and emotional stability of our country represents the next big public health challenge that we have as a Nation, especially in the wake of the September 11 attack. It is for these reasons that I have been so honored to work with our colleagues on this bill to see that we had a \$20 million increase in the mental health block grant. This is especially important, because it is consistent with President Bush's New Freedom Initiative as well as the Supreme Court's *Olmsted* decision which talks about community-based services for those in need.

There is also, Mr. Chairman, an initiative which I cosponsored with Ranking Member OBEY to have a \$5 million set-aside for the seniors mental health initiative. Senior citizens are growing in this country as a percentage of our overall population. Yet our country is not prepared to meet the unique challenges of our senior citizen population as it grows. As it was said, 20 percent of our population experiences mental disorders and it is not surprising that much of this occurs within our senior population, given the enormous depression that they face with loss of loved ones and with loss of their own health. They need the assistance and support to cope with these challenges, and I hope this initiative will begin the way towards this problem.

Mr. Chairman, in addition to these initiatives in the area of mental health, I want to acknowledge a few other areas in the bill that I strongly support. Among them is the area of family literacy. Mr. Chairman, we know with the 21st Century Learning Centers that we are able to address the needs of as many as 8 million "latchkey" children who are left alone unsupervised. The 21st Century Learning Centers give them a place to go as well as a place to grow, and that is why I am so pleased that we are able to increase the funding for this program, thereby allowing school districts like mine in Rhode Island, like Pawtucket, Providence and Central Falls, to all be able to continue their after-school programming.

In addition to family literacy, the Even Start program, which is also about family literacy, is being well funded in this program. Even Start is about making sure that parents are able to read and write, because if the parent is able to read and write, their children have a much better crack at being able to read and write themselves. That is why adult literacy should really be viewed as family literacy, because when you help the parents, you certainly help the children as well. That is why I am so supportive of



this committee's work to increase this funding by \$10 million.

Finally, Mr. Chairman, I think that we did a great job increasing funds for IDEA, the Individuals with Disabilities Education Act, particularly part C. This is the toddler's program. This is the area where if we invest early, we gain a great deal of return for our investment down the road.

For all these reasons, I support this important bill and ask that its adoption be supported unanimously by this House of Representatives.

Ms. NORTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had an amendment at the desk which I intend to withdraw out of appreciation for the way in which Chairman REGULA and Ranking Member OBEY have preserved the Porter initiative to combat obesity and overweight in the American population.

Originally Mr. Porter, our former colleague, for the first time placed \$125 million in the 2001 budget for a program directed against obesity and overweight in children. My amendment would have sought full funding. I am very appreciative that the chairman and ranking member have kept this initiative from being defunded by placing \$85 million in the 2002 budget.

This is a major legacy of our former colleague, John Porter. It is something he worked on for some years and in his last year I worked with him. This initiative marks the first time the Congress has given more than token funding to the most serious, widespread health problem in the United States today, and that is overweight and obesity. Fifty percent of Americans are either overweight or are obese.

At the time that this matter was on the floor last year, Chairman Porter engaged in a colloquy with me on this provision. In that colloquy, to quote briefly from it, I asked the chairman if he would agree that some of the \$125 million in this Labor-HHS bill be spent on the activities specified in the LIFE bill legislation. That was my legislation, Mr. Chairman, Lifetime Improvement in Food and Exercise.

Chairman Porter answered: I support the LIFE bill and believe that some of the \$125 million in additional funding I have included in this appropriation bill for the CDC should be directed toward the initiatives of the LIFE legislation.

The major difference in the LIFE legislation is that it applies beyond children to Americans of all ages. Americans of all ages, of all races, of all backgrounds and educational groups are experiencing this epidemic in obesity and overweight.

I am pleased that the funding for the education part of this initiative has already begun. The LIFE bill would also promote training by health professionals to recognize the signs of obesity and then to recommend prevention

activities and actual strategies so that people engage in exercise and other activities designed to mitigate this extraordinary problem we have in our country.

The importance of this initiative springs from the fact that it is the major contributor to some of the most serious preventable diseases in the American population, everything from high cholesterol and Type II diabetes to arthritis and cancer. The fact that there has been a 100 percent increase in obesity among children in the last 15 years ought to itself make us all pause. It means that these children are on their way to death early unless somehow we can put our country on a different path, a path where people get out and walk, a path where there is less in fatty foods and caloric foods and more in the kind of ordinary, everyday exercise that can mean the difference now between life and death.

I am very appreciative but not very surprised that the Chair and the ranking member of this committee would understand that to get this kind of funding finally and then to have it evaporate in a single year would have done a disservice to this very serious health problem. I am very appreciative for what they have done. I would like to work with them in future years so that we can, in fact, get this matter up to full funding. That way we will see it save much in Medicare and Medicaid, not to mention the health care bill of Americans in general.

□ 1545

The CHAIRMAN. Are there additional amendments to title II?

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELDON of Florida:

At the end of title II, insert after the last section (preceding the short title) the following section:

SEC. 2 \_\_\_\_\_. Of the amounts made available in this title under the heading "CENTERS FOR DISEASE CONTROL AND PREVENTION—DISEASE CONTROL, RESEARCH, AND TRAINING", \$40,000,000 of the amount made available for communicable disease activities (HIV/AIDS, tuberculosis, and sexually transmitted diseases) is transferred and made available under the heading "HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES" for child-health activities under title V of the Social Security Act (relating to the Maternal and Child Health Services Block Grant), in addition to other amounts available under such Health Resources heading for such child-health activities.

Mr. OBEY. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Chairman, my amendment addresses the si-

lent epidemic that is hitting our Nation's children at an alarming rate. Autism is the most prevalent developmental disorder in America. A couple of decades ago, autism struck a few children out of every 10,000. Today it hits as many as 1 in 250. Over 500,000 Americans are autistic.

My amendment increases funding for the Maternal and Child Health Block Grant program by \$40 million. This will provide States with funding for early diagnosis and intervention for children with autism and other developmental disorders. Early diagnosis and intervention is critical in helping these children reach their greatest potential.

For point of reference, it is important to note that the number of Americans suffering from autism is more than half the total number of Americans living with HIV and AIDS. However, you would not know this from looking at the budgets of CDC and NIH. Last year, the CDC spent \$12 per person for every person with autism. Conversely, CDC spent about \$800 per person for every person with HIV-AIDS.

Children are diagnosed with autism through no fault of their own, and we spend almost nothing to figure out why they are autistic.

We have an opportunity to provide \$40 million for autism early intervention. My amendment shifts \$40 million from CDC's HIV prevention account to the Maternal and Child Health Block Grant. Even with the adoption of my amendment, CDC's HIV prevention budget receives an \$80 million increase.

I am concerned about some of the activities that are being funded by the CDC. If the CDC can fund questionable activities, it says to me there is too much money in that account. I believe that shifting \$40 million of the \$120 million increase to assist lower income families would be a better use of these funds.

What type of questionable programs am I talking about? I ask Members to weigh these activities against helping lower income parents with their autistic children.

Some of the questionable programs receiving taxpayer assistance include recently in St. Louis, Missouri, the mayor had to get \$50,000 worth of offensive billboards pulled down. Why? Because they were too offensive for the community. They were paid for with CDC's HIV prevention funds.

On August 21, there was a workshop where people could come and learn about sex techniques and share stories about their sexual experiences and turn-ons. This was funded through the CDC with funds from Stop AIDS Project, San Francisco.

On August 23, there was a GUYWATCH in San Francisco, a program for homosexuals under the age of 25 where they can come and "meet other young guys."

Also several television ad campaigns across the country funded with Federal

tax dollars have been pulled because they offended most viewers. If people want to sponsor and attend such programs, that is their business. However, if they want to use taxpayer dollars for it, I think we need to look into it and weigh it against other priorities.

Most reasonable people would say we have other more important priorities. Prior to coming to Congress in 1995, I treated hundreds of AIDS patients. I was one of only two physicians in my community of more than 400,000 who took care of these AIDS patients. I have been at the bedside of dying AIDS patients. I have gotten up in the middle of the night to provide medical care for them. I have compassion for them and their needs.

I would not be offering this amendment if I did not feel the cause required it. I believe that a \$80 million increase rather than a \$120 million increase should be more than enough for this program. I encourage my colleagues to support the amendment.

The CHAIRMAN. Does the gentleman from Wisconsin insist on his point of order?

Mr. OBEY. Mr. Chairman, as was the case with the gentleman's previous amendment, I think it is drafted in such a way that it makes it clear it is a limitation, and therefore ought to be offered at the end of the bill. So I think the point of order would hold if I were to insist upon it.

Again, I would simply at this point reserve my reservation and I move to strike the last word.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, let me simply say to the gentleman, he has talked to me about his concern about providing additional funding for autism. I very much agree with that; and, as a matter of fact, I agree with some of the comments he just made about some of the wasteful uses of some of the funds in the program that he is discussing cutting. About 4 years ago, I made a similar objection myself.

I would urge the gentleman to withdraw the amendment, with the assurances that both the gentleman from Ohio (Mr. REGULA) and I and the rest of the conferees will try in conference to gain additional financial support for programs directed at autism, and a number of others, for that matter.

I think the gentleman is correct in bringing it to our attention. I hesitate to support the proposal as the gentleman is offering it, because in addition to the limitations on the AIDS program that he is talking about, we would also be reducing funding that would go for dealing with diseases such as TB. That almost got out of the bottle a few years ago. I do not want to see that happen again.

I would just urge the gentleman to respect the agreement that the gen-

tleman from Ohio (Mr. REGULA) and I have to oppose all amendments, no matter how meritorious we might find parts of them. We would both be happy to work with the gentleman in conference to try to accomplish what the gentleman is trying to accomplish.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for his comments and his willingness to work with me on this issue. His points, I think, are very well taken.

I personally have been very grieved over the years that I have worked here to see the tremendous amount of money that we spend on HIV and the relatively minimal amount of money we spend on autism. Actually the number of people with HIV and AIDS is about twice the number of autism, but if you look at the people who are actually falling into the AIDS category, it is about the same for both diseases. What is particularly grievous is that many private insurance companies do not cover the care that these kids need.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I agree that this is a concern. I had a conversation with the sponsor of the amendment, and I understand the need for this funding. We have a tough time balancing off all the different problems that afflict us in terms of disease and research. I do want to talk to the NIH folks and see if we could get a little more urgency on the part of NIH in doing research. Of course, we will also, in the conference, see if we cannot get some additional funding for this program.

Mr. OBEY. Mr. Chairman, I yield back the balance of my time.

Mr. WELDON of Florida. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my first order of business is to rise to support this legislation and to acknowledge the chairman of this committee, the gentleman from Florida (Mr. YOUNG); and the ranking member of the full committee, the gentleman from Wisconsin (Mr. OBEY); and the subcommittee chair, the gentleman from Ohio (Mr. REGULA); as well the gentleman from Wisconsin (Mr. OBEY), the ranking subcommittee member on this legislation.

Allow me, Mr. Chairman, to first acknowledge that this is a monumental piece of legislation, so I rise to emphasize the issues that are important not

only to Texas, but to my home community.

The increase in the education funding is of crucial concern in the fact that I just attended this past week a high school that had 3,042 students in one school. We are in need of assisting the education of our children, to create for them an opportunity, and I applaud the increase of the education funding generally.

We as well face an increasing epidemic in HIV-AIDS, particularly African-American and Hispanic women, the rising numbers, and the increase in dollars in the Ryan White treatment dollars will help reach in underserved communities as well as serve those who have been exposed or who are subject to the AIDS epidemic.

We have had an energy explosion or a concern with our energy needs, and the funding for LIHEAP is a very important addition.

Might I also say that I rise in support of the substance abuse and mental health funding as well. The increase that this committee has provided, along with the increased dollars for Medicare grants to States, is very important to the State of Texas. Even as we speak, there is a dispute in Texas as to whether public hospitals can be held liable for serving the indigents, who happen to be immigrants who may not be documented.

We know that our responsibility is to care for the ill. We want to use Federal funds responsibly. Texas needs those dollars, and as well we use our local funds to serve those who come to our doors who need good health care. We know that there is no grounds to hold these public hospitals liable, and we hope to resolve that matter very quickly.

I rise as well to indicate my concern with the issues of September 11, as so many of us have done, but to put particular emphasis on the children.

Tomorrow, the Congressional Children's Caucus, that I chair and that the gentlewoman from Florida (Ms. ROSLEHTINEN) co-chairs, will hold a briefing on a very important issue; and that is the impact of September 11 on the children of those who died, a guardian, single parent, two parents, that may have been lost.

I was intending to offer two amendments to indicate the importance of focusing on the needs of those children. Right now we do not even have an accounting of those children. We know that there are about 500 children of police and fire parents who were lost, 500 children being impacted. We know that in one city in New Jersey, 25 dads were alleged to have been lost.

I had intended to offer an amendment of \$375 million to fund the promoting safe and stable families. The primary goal of promoting safe and stable families is to prevent the unnecessary separation of children from their families.



We know that those children who lost parents cannot be reunited with their parents, their birth parents, but Congress can assist these children in obtaining appropriate living arrangements by targeting critical adoption services.

My other amendment was to add \$20 million in grants to the States for adoption incentive programs to be able to help move those adoptions along faster.

I had intended also to put into this legislation the language of H. Con. Res. 228, a bipartisan sense of Congress bill supported by Republicans and Democrats to move to the front of the line those children who suffered the loss of a parent, a guardian, or two parents in the September 11 tragedy.

I want to applaud the organizations today who appeared at the Lincoln Memorial, child survival organizations, focusing on the loss and impact 1 month after this terrible impact of the children.

□ 1600

Mr. Chairman, I would hope that this Congress, and certainly I know the gentleman from Wisconsin (Mr. OBEY) has been a great champion of children and mental health needs, would support the idea of moving these children up so that they could utilize the Federal benefits that they might be eligible for and that this Congress would be sensitive to the needs of the terrible loss of September 11 with children as our concern.

I am not going to offer these amendments, because I would like to work with the leaders of this particular bill and work with them through the conference that the dollars that have been allotted, that they will be certainly available for these children as they are made eligible.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I think the gentlewoman is addressing what is a serious problem. This is just one of the many fall-outs of September 11. There will be more yet to come, and I think we need to be sensitive to it. Probably as time flows along, the problems that the gentlewoman is discussing will become even more evident. It is an authorizing problem, as the gentleman realizes, and I am sure that the gentleman's amendment will be before the authorizing committee for a hearing. But we are well aware of it. Any portion that we deal with here, we have tried to put adequate funding in.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman. I would simply like to close, Mr. Chairman, by saying that there will be an important briefing tomorrow where we will hear from parents who are taking

care of children who have lost one parent. I believe this bill is a strong bill, but it is very important that we look at those needs that impacted the children pursuant to the September 11 terrible tragedy.

Mr. Chairman, I rise to reject the spirit that animates both this rule and the larger debate we will hold here regarding Labor/HHS appropriations. While I appreciate the image of bipartisanship this open rule suggests, the actions of the rules committee allowing the Gentlelady from Pennsylvania to offer her controversial amendment casts a shadow over that image.

For the leadership to allow this controversial school spending provision as a ride to this spending package with full knowledge that the parties had previously agreed to waive the layover on the bill is the essence of divisiveness, and gives all too clear an indication as to the divisive directions the Leadership wishes to drive this country.

The Chairman of the committee has been quoted as saying that the structure for this rule "goes back to agreements that were struck several months ago." Mr. Chairman, I submit to you that this is precisely the wrong reason to go forward in this fashion. These are new times we live in, and we are faced with daunting struggles in the weeks ahead. Bipartisanship does not connote a *carte blanche* for those in authority to abuse their position. The work is supposed to invoke a spirit of cooperation that ought to animate our proceedings, conduct, and consciousness in this different time. This rule does not achieve this lofty, yet attainable goal.

In pursuit of this goal I will offer two amendments to this bill. The first calls for increased funding the Promoting Safe and Stable Families program under subpart 2 of part B of Title IV of the Social Security Act. The primary goals of Promoting Safe and Stable Families are to prevent the unnecessary separation of children from their families, and ensure permanency for children by reuniting them with their parents, by adoption or by another permanent living arrangement.

The children who have lost their parents or guardian in the September 11, 2001 tragedies cannot be reunited with their birth parents, but the Congress can assist these children in obtaining the appropriate living arrangements by targeting critical adoption services. These children are in need of foster care assistance, adoption assistance, medical, nutritional and psychological care. These services are needed now.

Under this amendment, states could determine the specific needs of children and families affected by these attacks, and use these funds to address those needs expeditiously, within the broad parameters of the existing program.

The second amendment increases by \$20,000,000 the grants to the States for adoption incentive payments as authorized by Section 473 A of Title IV of the SSA (42 USC 670-679) and may be made for adoptions completed in FY 2001 and 2002.

Unlike the rider to this appropriations bill, these amendments are timely and promote both the immediate needs of children and families affected by the tragedies of September 11

and the spirit of cooperation our nation desperately needs.

Mr. Chairman, I rise in support of H.R. 3061, the Labor Health and Human Services and Education Appropriations Act for Fiscal Year 2002.

On October 2, the President sent a letter to the Republican and Democratic leaders of the House and Senate and the chairman and ranking member of the House and Senate Appropriations committees in which he stated that he supported the bipartisan agreement to set FY 2002 discretionary spending levels at \$686 billion. Mr. Chairman, this is the first time in several years that the Labor, Health and Human Services and Education Appropriation bill reached a bipartisan agreement in the committee and with the administration.

I want to applaud the Chairman and Ranking member for their hard work on this bill.

The Labor Health and Human Services and Education Appropriations Act for Fiscal Year 2002 will touch the lives of many American citizens including our children. This legislation provides critical funding for Fiscal Year 2002 for a host of programs that improve the lives. At a time when our nation has been shaken through tragedy, this legislation is yet another sign of our strength and resolve to go forward with the American way of life.

Mr. Chairman, I want to point out some of the key provisions of this bill, which I believe to be critical during these difficult times.

Mr. Chairman, the bill language calls for \$375,000,000 to fund the Promoting Safe and Stable Families program under subpart 2 of part B of Title IV of the Social Security Act. The primary goals of Promoting Safe and Stable Families are to prevent the unnecessary separation of children from their families, and ensure permanency for children by reuniting them with their parents, by adoption or by another permanent living arrangement.

The children who have lost their parents or guardian in the September 11, 2001 tragedies cannot be reunited with their birth parents, but the Congress can assist these children in obtaining the appropriate living arrangements by targeting critical adoption services. These children are in need of foster care assistance, adoption assistance, medical, nutritional and psychological care. These services are needed now.

Congress should target additional funds towards addressing the specific child welfare needs of children and families affected by the September 11 attacks.

The types of services that are offered under the Promoting Safe and Stable Families program are very broad. Those services include family preservation, family support, family reunification, adoption promotion and support. Further, states have wide discretion in the use of these funds.

Therefore, states could determine the specific needs of children and families affected by these attacks, and use these funds to address those needs expeditiously, within the broad parameters of the existing Promoting Safe and Stable Families program.

I encourage the adoption of report language in the bill that would urge the head of each federal agency responsible to put the highest possible priority on delivery, and to the maximum extent possible, to do so within 60 days

of the date of the determination of the death of the child's parent or guardian.

Also, Mr. Chairman, this legislation provides additional funding for the fight against HIV/AIDS in developing countries. During the August recess, I lead a congressional delegation to Guatemala and Honduras, along with the Global Health Council and USAID. There, I visited health clinics and centers that are working to reduce malnutrition and improve the health of children in their communities. While I was impressed by the resourcefulness and commitment of our friends and neighbors as they work to care for the most vulnerable children, such progress will not continue without continued support from the U.S. Mr. Chairman, I am pleased that this legislation allows the transfer up to \$75,000,000 to International Assistance programs through the "Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis." Mr. Chairman, these funds are to remain available until expended.

Mr. Chairman, this bill provides additional funding the Low Income Home Energy Assistance program in the amount of \$300,000,000. The funds provided in this bill for the Low Income Home Energy Assistance program are needed because of the increase in unemployed Americans. Low-income households are having an increasingly difficult time paying their home energy bills. Last year, Mr. Chairman, the number of households receiving energy assistance increased by 30% from 3.9 million to almost 5 million. Twelve states reported increases of more than 40%.

EXPLANATION OF REPORT LANGUAGE: PAGE 42 OF THE BILL PROMOTING SAFE AND STABLE FAMILIES

The bill language calls for \$375,000,000 to fund the Promoting Safe and Stable Families program under subpart 2 of part B of Title IV of the Social Security Act. The primary goals of Promoting Safe and Stable Families are to prevent the unnecessary separation of children from their families, and ensure permanency for children by reuniting them with their parents, by adoption or by another permanent living arrangement.

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Therefore, states could determine the specific needs of children and families affected by these attacks, and use these funds to address those needs expeditiously, within the broad parameters of the existing Promoting Safe and Stable Families program.

The report language in the bill should urge the head of each federal agency responsible to put the highest possible priority on delivery, and to the maximum extent possible, to do so within 60 days of the date of the determination of the death of the child's parent or guardian.

#### EXPLANATION OF THE AMENDMENT: #1

Explanation: this amendment increases by \$20,000,000 the grants to the States for adoption incentive payments as authorized by Section 473A of Title IV of the SSA (42 U.S.C. 670-679) and may be made for adoptions completed in FY 2001 and 2002.

The offset is provided by reducing \$20,000,000 from the Community Services Block Grant Act.

The additional \$20,000,000 is targeted to assist the states with adoptions initiated after September 11, 2001 and where the child lost a parent as a result of the attack on America.

The CHAIRMAN. Are there additional amendments to title II?

The Clerk will read.

The Clerk read as follows:

#### TITLE III—DEPARTMENT OF EDUCATION EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, as redesignated and amended by H.R. 1 of the 107th Congress, as passed by the House of Representatives on May 23, 2001, and section 418A of the Higher Education Act of 1965, \$12,547,900,000, of which \$5,667,700,000 shall become available on July 1, 2002, and shall remain available through September 30, 2003, and of which \$6,758,300,000 shall become available on October 1, 2002 and shall remain available through September 30, 2003, for academic year 2002-2003: *Provided*, That \$8,037,000,000 shall be available for basic grants under section 1124: *Provided further*, That \$1,684,000,000 shall be available for concentration grants under section 1124A: *Provided further*, That \$779,000,000 shall be available for targeted grants under section 1125.

#### IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VI of the Elementary and Secondary Education Act of 1965, as redesignated and amended by H.R. 1 of the 107th Congress, as passed by the House of Representatives on May 23, 2001, \$1,130,500,000, of which \$982,500,000 shall be for basic support payments under section 8003(b), \$50,000,000 shall be for payments for children with disabilities under section 8003(d), \$35,000,000 shall be for construction under section 8007, \$55,000,000 shall be for Federal property payments under section 8002, and \$8,000,000, to remain available until expended, shall be for facilities maintenance under section 8008.

#### AMENDMENT OFFERED BY MR. SCHAFFER

Mr. SCHAFFER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHAFFER:

In title III under the heading "EDUCATION FOR THE DISADVANTAGED", after the first dollar amount insert "(reduced by \$50,000,000)".

In title III under the heading "SCHOOL IMPROVEMENT PROGRAMS", after the first dollar amount insert "(reduced by \$410,000,000)".

In title III under the heading "BILINGUAL AND IMMIGRANT EDUCATION", after the first dollar amount insert "(reduced by \$240,000,000)".

In title III under the heading "SPECIAL EDUCATION", after the first dollar amount insert "(increased by \$1,100,500,000)".

In title III under the heading "VOCATIONAL AND ADULT EDUCATION", after the first dollar amount insert "(reduced by \$154,000,000)".

In title III under the heading "HIGHER EDUCATION", after the first dollar amount insert "(reduced by \$183,000,000)".

In title III under the heading "EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT",

after the first dollar amount insert "(reduced by \$63,500,000)".

Mr. REGULA. Mr. Chairman, I reserve a point of order, because we have not seen the amendment as yet.

Mr. OBEY. Mr. Chairman, could we have a copy of the amendment?

The CHAIRMAN. The Clerk will distribute copies.

The gentleman from Colorado (Mr. SCHAFFER) is recognized for 5 minutes on his amendment.

Mr. SCHAFFER. Mr. Chairman, the amendment that I offer is one that moves a little over \$1 billion to the IDEA program, the Individuals With Disabilities in Education Act. This is a provision that almost all of us in the Congress, Mr. Chairman, have spoken about at one time or another and have professed our support for increasing this line item to eventual full funding.

Back in the 1970s when the IDEA statute was established by the Congress, the statute called for 40 percent funding at the Federal level, and that was a promise and a commitment that we made. Just over 6 years ago, that funding level was down as far as 12 percent, and this Congress in recent years has tried to bump that percentage up. Today, I believe we are around 13 or 14 percent.

This amendment would make a substantial jump in the right direction, but still leave us woefully short of the 40 percent obligation that this Congress has committed to and to which school districts around the country are expecting us to provide funding.

Since we have not done that, Mr. Chairman, what occurs is the mandates associated with the Individuals with Disabilities in Education Act cause every school administrator in the country to effectively steal funds from other important priorities within their budgets, to steal funds from funds that might be used, for example, for teacher pay raises, maybe for capital construction, for investments in technology, for new computers, to reduce class sizes. A number of priorities that might be identified by local administrators and local officials go unrealized because of the expensive Federal mandates associated with this law and the paltry percentage of Federal funding that is put forward to meet those mandates. Again, far under, far below the 40 percent promised by this Congress.

On three separate occasions in recent years, this House passed resolutions, sense of Congress resolutions expressing our support for full funding of IDEA. While we continue to say and vote and speak throughout the course of our campaigns, throughout the course of our business here on the floor that we are in favor of full funding of IDEA, we just do not seem to do it.

Well, this amendment is one that tests our sincerity. It is one that shows the world that we are serious about the promises that we have made and that



in the end, schoolchildren matter more than the size and the comfort of bureaucracies here in Washington, D.C. This amendment moves \$1.1 billion from seven or eight different line items in the remainder of title III, and it does so in a way that still leaves in more funds than even the administration has requested. In no case are the funds taken from any line item in a way that will render them underfunded according to the request made by the Government itself, by the administration, by those who represent the bureaucracy of our country.

This is an important undertaking, Mr. Chairman, once again, not only because of the growing need for IDEA resources and funds and those individuals who are directly affected by the programs, but, as I say, because our failure to fully fund our obligation and our commitment and, at the same time, leave the expensive mandates in place, causes all children and all schools to suffer; and that is why I offer the amendment. That is why I look forward to the broad-based bipartisan support that I expect based on previous comment and testimony on the amendment. I, on that basis, urge the adoption of the amendment.

The CHAIRMAN. Does the gentleman from Ohio (Mr. REGULA) insist on his point of order?

Mr. REGULA. Mr. Chairman, I withdraw my point of order.

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in strong support of this amendment to increase IDEA funding by more than \$1 billion. Year after year we pass resolutions asserting Congress's commitment to fully fund the Individuals with Disabilities in Education Act. Many of our fellow colleagues join with me at this podium and assert our responsibility to live up to our promise to our school districts. We declare that the Individuals with Disabilities in Education Act is the highest priority among Federal elementary and secondary education programs, the highest priority. Yet year after year, we increase funding for other programs that are less vital to our local school districts.

My home State of Kansas can expect to see about one-fourth of the promised \$69 million this year for IDEA mandates. Anyone who has spoken with school officials in their district knows that this is inadequate. While school districts are forced to rob Peter in order to pay Paul to meet IDEA mandates at the expense of both children with and without disabilities, Congress has increased funding for Department of Education programs that I consider are not vital to our children's education.

I do not know how many Members have toured special education facilities. I have. I have toured Levy Special Education Center in Wichita, Kansas,

and seen the special education children. I have met with special education teachers and listened to their frustration about the lack of funding, combined with the burden of increased paperwork.

Twenty-five years ago with the passage of IDEA, the Federal Government mandated that our local school systems educate all children, even those with severe mental and physical disabilities. IDEA has placed an extreme financial burden on our public schools which could be partially alleviated by keeping our commitment to fully fund the 40 percent of the program, the 40 percent originally promised. To not do so we are completely ignoring the needs of our local school districts.

I challenge my fellow colleagues to live up to our responsibility and support the effort today to put more money in IDEA. I encourage my colleagues to support this amendment.

Mr. GOODE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to commend the gentleman from Ohio (Mr. REGULA), the chairman of the subcommittee, and the gentleman from Wisconsin (Mr. OBEY), the ranking member, for all that they have done for IDEA. They have increased funding significantly in this bill, but more is needed. So I am very happy to rise in support of the amendment offered by the gentleman from Colorado (Mr. SCHAFER).

In the fifth district of Virginia, school superintendents and school board members have addressed the issue of funding for special education more than any other school issue. These additional funds would bring so much more flexibility to jurisdictions in the fifth district of Virginia and across the United States. I hope it will be the pleasure of this body to support this amendment and to help IDEA funding get closer to the 40 percent.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, reluctantly, I rise in opposition to this amendment. I think that the IDEA program is an excellent one; and I know that the gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce, had this discussed when they did H.R. 1. He said that we need to withhold until it is reauthorized. It will be up for reauthorization next year. I think there will probably be refinements made in the program that will enable it to even better serve those who are in need.

I want to point out that the committee was very sensitive to this. We increased the amount by \$1.37 billion; it is a 22 percent increase over last year. The total is \$7.739 billion. We were, in fact, \$375 million over the President's request on the IDEA program.

So it is not a lack of sensitivity; and, of course, this tends to free up money

that goes into the regular school program. I think adding money is not necessarily going to enhance the experience of the children in the IDEA program; it simply would free up money for the general school program that is now taken out of the regular school budget.

I have to say that the offsets here, I believe, have a substantial impact. It first takes money from the education for the disadvantaged, and in the President's statement he points out that there is a real need in this field as part of title I so that the students can profit from the efforts that will be taken under title I.

Likewise, it takes out money from immigrant education; and, again, if these individuals are going to be members of our society, they need an ability to get education through our system. Otherwise, they will be on the welfare rolls.

The school improvement programs, again, are something that are affected by the offsets in this program, and I think the one that I am concerned particularly about is vocational and adult education. We are finding a lot of people are having to refine their job opportunities because they are laid off from a factory; they are laid off from all different types of things. It is almost a daily occurrence to read in the newspaper where 5,000 are laid off by a major industry. These people need the ability to get new skills to participate in our economy in this Nation so that they can pay their mortgages, send their children to school, to universities and colleges.

To take money out of vocational and adult education I think is a misdirected priority at the moment, given what is happening in the economy. We need to give people the opportunity to participate in the economy, and the issues here that are being used to pay for this additional funding, which will go to the schools' budgets and not necessarily change the experience of any children in the IDEA program, is not as high a priority in my judgment as providing for the education for disadvantaged, as providing for vocational and adult education, and higher education.

□ 1615

We have increased the Pell Grants to help young people get a chance to get a college education.

We are living in a far more sophisticated society than was true many years ago. Therefore, people who want to participate effectively in our economy need higher education; they need retraining, as offered by vocational and adult education.

So I think, looking at the total sum of the priorities, that this is a balanced bill. I hope that the Committee on Education and the Workforce next year will take a look at this program in the reauthorization process and make sure



it is even more effective than it is now in meeting the needs of the children that are part of the IDEA program.

For this reason, I would urge the Members to reject this amendment.

Mr. RYAN of Wisconsin. Mr. Chairman, I move to strike the requisite number of words.

Mr. RYAN of Wisconsin. First of all, Mr. Chairman, I would like to thank the chairman and the ranking member for all their work on this fine piece of legislation. They have put in a lot of time and hours, and they have listened to a lot of Members with respect to this very complicated piece of legislation.

Mr. Chairman, I believe this is a wise amendment, and it is for this reason: In 1975, Congress passed a very important piece of legislation. That legislation is what we call special education, the Individuals with Disabilities Act.

But at that time, that legislation said the Federal Government would fund 40 percent of special education and the States would cover the rest of it. Well, Mr. Chairman, that has not occurred. We are, at best, funding 12 to 15 percent of special education, a Federal mandate on our local schools which now, since those days, has become the largest unfunded Federal mandate on our local school districts.

In the State of Wisconsin, from which I come and which I represent, we have a revenue cap. What that means in States like Wisconsin and other States across the country with the revenue cap, that means \$1 that is used to chase an unfunded Federal mandate is \$1 that is taken away from every other resource allocation made by a local school district. It is \$1 taken away from all of these other programs.

It suffocates local control, it artificially props up property taxes, and it disallows us from having the ability at home in our districts, in our school districts, in our LEAs, from making the resource decisions to cater our needs and problems per the problems of our school districts.

So with that in mind, Mr. Chairman, I think it is very important that this Congress works very, very hard to try and meet that unfunded Federal mandate, because if we do so, our school districts can address all of these issues. They can address bilingual education, they can address all of the programs that are being used to pay for in this amendment. It will be up to the school districts.

These programs are important programs. This amendment does keep the funding of these programs at or above the President's request. So I think it is a very reasonable and commonsense amendment.

I just think it is very important, Mr. Chairman, that we finally recognize that Washington all too often penalizes our local decision-making. It forces unfunded mandates on our schools, and in

States especially where we have revenue caps it basically makes a choice between higher property taxes or not or between taking money out of every other education program in a school district or putting it into special education.

We should not have to force school districts into that kind of decision-making. A vote for this amendment is a vote to elevate the percentage of special education from Washington from 15 percent to 21 percent, basically even half of the mandate, not even far enough. But it is a vote for local control, it is a vote for local resource allocation.

With that, I thank the chairman and the ranking member for all of their work on this. I just think it is important that we make a statement on behalf of local control. This is a great way of doing so.

Mr. SCHAFFER. Mr. Chairman, will the gentleman yield?

Mr. RYAN of Wisconsin. I yield to the gentleman from Colorado.

Mr. SCHAFFER. Mr. Chairman, I thank the gentleman from Wisconsin for yielding to me.

I appreciate those last remarks. It is within that context that I want to address some of the comments that the chairman made.

Mr. Chairman, without a doubt, we are moving \$1.1 billion away from programs that are funded over and above the request of our President. Now, the characterization of these being cuts is one that I flatly dispute, because these programs are still receiving increases over and above what they are budgeted in the current fiscal year. In fact, we are, in many of these programs, increasing still above what the President had requested.

As to whether doing so causes some kind of harm or endangers students, I just do not think our President would do that. I think our President has suggested a funding level that is reasonable and just, and took into full consideration the impact that his funding increases would have on America's children.

The President did suggest on several occasions his support for moving toward full funding of IDEA. Although our promise to the American people, to America's schoolchildren, their teachers, their administrators, was that we would fund this Federal mandate at 40 percent, my amendment increases the amount the committee has suggested by \$1 billion. That only gets us to 21 percent. We still have a long way to go to maintain the promises that we have made. I hope we can do that. But we are not hurting anyone in accomplishing the fulfillment of our obligations.

Mr. REGULA. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. REGULA. Mr. Chairman, I just want to point out or reiterate, since the President has been mentioned here, that we are \$375 million above the President's request for IDEA, and this represents a 22 percent increase in this fund. So it is not as if we were not sensitive to the needs in IDEA.

But also, we were sensitive to the needs of the unemployed, of the economically handicapped and disadvantaged, and immigrant education. So it is a matter of balance here. We have tried to balance out all of these things in allocating the resources in the bill. I hope that the Members will support the bill and vote against this amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. OBEY. Mr. Chairman, the gentleman from Wisconsin indicated that he wanted to thank the gentleman from Ohio (Mr. REGULA) and I for what we have done in the bill. I think the gentleman from Ohio (Mr. REGULA) and I would rather have less thanks and more support.

I have two things I would like to say, Mr. Chairman. First of all, with respect to the duty that I think individual Members owe the Committee, and vice versa. When the Committee produces a bill, there is a report, a printed report. The bill is printed. The House has several days' notice before the bill comes to the floor.

Yet, in contrast, I have seen at least four amendments offered today on which the Committee has essentially been blindsided. Individual Members keep amendments in their pockets until the last possible moment. Then they bring them to the floor with no notice to the Committee, so that we might work with them to fashion an amendment that might be acceptable to both sides.

It just seems to me if committees are expected to exhibit certain respect for individual Members, I think individual Members owe that same respect to the Committee. I would urge Members to respond accordingly.

Secondly, let me point out that this is one of those amendments that I suspect no matter what we had put in this bill for IDEA, we would have been told, oh, it is not enough. This Committee is one-upped every time we turn around.

I want to read to the Members. People have suggested that the Administration is in support of this amendment. That is most definitely not true. I want to read a statement from the Secretary of Education:

"We believe that solutions to these challenges; namely, in IDEA, should be addressed within the context of a thorough review of IDEA and as part of a comprehensive package of reforms." In other words, they do not think that we should be providing large amounts of money without reforms to the program.

I want to point out what this amendment does. This amendment cuts title I. We hear about how much IDEA is not reaching all the children that it is supposed to reach. I recognize that. It would cost \$17 billion to fully fund IDEA. It would cost \$27 million to fully fund title I, because title I is only reaching one-third of the children who are eligible for service. Yet, this bill would cut that program to finance a program which is already \$375 million above the President.

I would point out that on IDEA, since 1996, this Committee has raised the funding for that program from \$2.3 billion to \$7.7 billion. That is not bad. That is not bad.

I would point out that only one-third of eligible kids in title I are now served. Why do we not have an amendment on the floor raising that to \$27 billion? It seems to me it would be just as equitable.

I want to point out also that there are 8,200 schools in this country who have low-income kids at least 35 percent of their enrollment, low-income kids who do not get a dime in title I money. If we are going to start talking about inadequacies, we ought to raise that program, too.

I do not see why we ought to cut vocational education, why we ought to cut title I, why we ought to cut bilingual education when we have 3.6 million kids in this country who need to understand how to read English and speak English. I do not know why we should cut education research when there is still so much debate in this country about how children learn. It would be nice if all of us could get off our biases and get into some facts. The way we do that is with additional education research.

So I would say the amendment, in terms of what it wants to increase, is fine. But the source of money for that increase I think is ill-advised, to put it kindly. In my view, the Committee has struck a reasonable balance. There are people in the Senate, there are people in the Senate in my party who want to see IDEA increased far above this level, and who also want to see title I fully funded over the next 4 years so we pay for 100 percent of eligibility.

Is anybody here willing to put that \$27 billion on the table? This Committee has tried to be responsible. We have held down the gentleman's wish list on that side of the aisle and our wish list on this side of the aisle.

I would much prefer that we be able to provide every dollar for IDEA that is suggested in this amendment, but not at the expense of title I, not at the expense of vocational education, not at the expense of educational research, not at the expense of TRIO programs.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, I would urge Members again to recognize that we have hammered out over a 7-month period a bipartisan bill which does not meet anybody's idea of what is pluperfect, but represents a reasonable compromise between all of us. I urge Members to stick with that judgment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. SCHAFER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SCHAFER. Mr. Chairman, I demand a recorded vote.

THE CHAIRMAN. An insufficient number has apparently arisen. . . .

Mr. SCHAFER. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN. The Chair will count for a quorum.

Evidently a quorum is not present.

Pursuant to the provisions of clause 6, rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 376]

Abercrombie  
Ackerman  
Aderholt  
Akin  
Allen  
Andrews  
Armedy  
Baca  
Bachus  
Baker  
Baldacci  
Baldwin  
Ballenger  
Barcia  
Barrett  
Bartlett  
Barton  
Bass  
Becerra  
Bentsen  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop  
Blagojevich  
Blumenauer  
Boehert  
Boehner  
Bonilla  
Bonior  
Bono  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brady (TX)  
Brown (FL)  
Brown (OH)  
Brown (SC)  
Bryant  
Burr

Burton  
Buyer  
Callahan  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Carson (IN)  
Carson (OK)  
Castle  
Chabot  
Chambliss  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Collins  
Combest  
Condit  
Conyers  
Cooksey  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis, Jo Ann  
Davis, Tom  
Deal  
DeFazio  
DeGette

Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Ferguson  
Filner  
Flake  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Frelinghuysen  
Gallegly  
Ganske  
Gekas  
Gephardt  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gonzalez

Goode  
Goodlatte  
Gordon  
Goss  
Graham  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grucci  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Harman  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hilliard  
Hinchey  
Hinojosa  
Hobson  
Hoeffel  
Holden  
Holt  
Honda  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kerns  
Kildee  
Kilpatrick  
Kind (WI)  
King (NY)  
Kirk  
Kleczka  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Langevin  
Lantos  
Largent  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren

Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Mascara  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Menendez  
Mica  
Millender-  
McDonald  
Miller, Gary  
Miller, George  
Mink  
Mollohan  
Moore  
Moran (KS)  
Morella  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reyes  
Reynolds  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross

Rothman  
Roukema  
Roybal-Allard  
Royce  
Rush  
Ryan (WI)  
Sabo  
Sánchez  
Sanders  
Sandlin  
Sawyer  
Saxton  
Schaffer  
Schakowsky  
Schiff  
Schrock  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simmons  
Simpson  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stearns  
Stenholm  
Strickland  
Stump  
Stupak  
Sununu  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Towns  
Traficant  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Visclosky  
Vitter  
Walden  
Walsh  
Wamp  
Waters  
Watkins (OK)  
Watson (CA)  
Watt (NC)  
Watts (OK)  
Waxman  
Weiner  
Weldons (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)



□ 1652

The CHAIRMAN. Four hundred twelve Members have recorded their presence. A quorum is present, and the Committee will resume its business.

## RECORDED VOTE

The CHAIRMAN. The Chair did not finally announce that a recorded vote had been refused. Therefore, under the circumstances, the gentleman's request is pending. The Chair will count for a recorded vote.

A sufficient number has arisen.

A recorded vote is ordered. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 76, noes 349, not voting 5, as follows:

[Roll No. 377]

## AYES—76

Akin	Green (WI)	Pitts
Armey	Grucci	Pombo
Bartlett	Gutknecht	Radanovich
Barton	Hall (TX)	Ramstad
Bass	Harman	Rehberg
Brady (TX)	Hayworth	Rohrabacher
Brown (SC)	Hefley	Royce
Bryant	Herger	Ryan (WI)
Burr	Hoekstra	Ryun (KS)
Cannon	Hostettler	Schaffer
Cantor	Issa	Sensenbrenner
Chabot	Jenkins	Sessions
Cox	Johnson (IL)	Shadegg
Culberson	Jones (NC)	Simmons
Davis, Jo Ann	Kelly	Souder
Deal	Kennedy (MN)	Stearns
DeLay	Kerns	Sununu
DeMint	Largent	Tancredo
Doolittle	Manzullo	Taylor (NC)
Flake	McInnis	Thornberry
Forbes	Miller, Gary	Tiahrt
Gibbons	Myrick	Toomey
Gilman	Norwood	Vitter
Goode	Paul	Weldon (FL)
Graham	Pence	
Graves	Petri	

## NOES—349

Abercrombie	Callahan	Dicks
Ackerman	Calvert	Dingell
Aderholt	Camp	Doggett
Allen	Capito	Dooley
Andrews	Capps	Doyle
Baca	Capuano	Dreier
Bachus	Cardin	Duncan
Baird	Carson (IN)	Dunn
Baker	Carson (OK)	Edwards
Baldacci	Castle	Ehlers
Baldwin	Chambliss	Ehrlich
Ballenger	Clay	Emerson
Barcia	Clayton	Engel
Barr	Clement	English
Barrett	Clyburn	Eshoo
Becerra	Coble	Etheridge
Bentsen	Collins	Evans
Bereuter	Combest	Everett
Berkley	Condit	Farr
Berman	Conyers	Fattah
Berry	Cooksey	Ferguson
Biggert	Costello	Filner
Bilirakis	Coyne	Fletcher
Bishop	Cramer	Foley
Blagojevich	Crane	Ford
Blumenauer	Crenshaw	Fossella
Boehler	Crowley	Frank
Boehner	Cubin	Frelinghuysen
Bonilla	Cummings	Frost
Bonior	Cunningham	Gallegly
Bono	Davis (CA)	Ganske
Borski	Davis (FL)	Gekas
Boswell	Davis (IL)	Gephardt
Boucher	Davis, Tom	Gilchrest
Boyd	DeFazio	Gillmor
Brady (PA)	DeGette	Gonzalez
Brown (FL)	DeLauro	Goodlatte
Brown (OH)	Deutsch	Gordon
Burton	Diaz-Balart	Goss
Buyer		Granger

Green (TX)	Markey	Rush
Greenwood	Mascara	Sabo
Gutierrez	Matheson	Sánchez
Hall (OH)	Matsui	Sanders
Hansen	McCarthy (MO)	Sandlin
Hart	McCarthy (NY)	Sawyer
Hastings (FL)	McCollum	Saxton
Hastings (WA)	McCrery	Schakowsky
Hayes	McDermott	Schiff
Hill	McGovern	Schrock
Hilleary	McHugh	Scott
Hilliard	McIntyre	Serrano
Hinchey	McKeon	Shaw
Hinojosa	McKinney	Shays
Hobson	McNulty	Sherman
Hoeffel	Meehan	Sherwood
Holden	Meek (FL)	Shimkus
Holt	Menendez	Shows
Honda	Mica	Shuster
Hooley	Millender-	Simpson
Horn	McDonald	Skeen
Houghton	Miller, George	Skelton
Hoyer	Mink	Slaughter
Hulshof	Mollohan	Smith (MI)
Hunter	Moore	Smith (NJ)
Hyde	Moran (KS)	Smith (TX)
Inslee	Moran (VA)	Smith (WA)
Isakson	Morella	Snyder
Israel	Murtha	Solis
Istook	Nadler	Spratt
Jackson (IL)	Napolitano	Stark
Jackson-Lee	Neal	Stenholm
(TX)	Nethercutt	Strickland
Jefferson	Ney	Stump
John	Northup	Stupak
Johnson (CT)	Nussle	Sweeney
Johnson, E. B.	Oberstar	Tanner
Johnson, Sam	Obey	Tauscher
Jones (OH)	Oliver	Tauzin
Kanjorski	Ortiz	Taylor (MS)
Kaptur	Osborne	Terry
Keller	Ose	Thomas
Kennedy (RI)	Otter	Thompson (CA)
Kildee	Owens	Thompson (MS)
Kilpatrick	Oxley	Thune
Kind (WI)	Pallone	Thurman
King (NY)	Pascarell	Tiberi
Kirk	Pastor	Tierney
Klecza	Payne	Towns
Knollenberg	Pelosi	Trafficant
Kolbe	Peterson (MN)	Turner
Kucinich	Peterson (PA)	Udall (CO)
LaFalce	Phelps	Udall (NM)
LaHood	Pickering	Upton
Lampson	Platts	Visclosky
Langevin	Pomeroy	Walden
Lantos	Portman	Walsh
Larsen (WA)	Price (NC)	Wamp
Larson (CT)	Pryce (OH)	Waters
Latham	Putnam	Watkins (OK)
LaTourette	Quinn	Watson (CA)
Leach	Rahall	Watt (NC)
Lee	Rangel	Watts (OK)
Levin	Regula	Waxman
Lewis (CA)	Reyes	Weiner
Lewis (GA)	Reynolds	Weldon (PA)
Lewis (KY)	Riley	Weller
Linder	Rivers	Wexler
Lipinski	Rodriguez	Whitfield
LoBiondo	Roemer	Wicker
Lofgren	Rogers (KY)	Wilson
Lowe	Rogers (MI)	Wolf
Lucas (KY)	Ros-Lehtinen	Woolsey
Lucas (OK)	Ross	Wu
Luther	Rothman	Wynn
Maloney (CT)	Roukema	Young (AK)
Maloney (NY)	Roybal-Allard	Young (FL)

## NOT VOTING—5

Blunt	Meeks (NY)	Velázquez
Kingston	Miller (FL)	

□ 1701

Mr. HALL of Texas changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mrs. CLAYTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this particular bill gives us an opportunity obviously to talk about many important issues, and

the issue of AIDS obviously is very important. I want to bring to the attention of the House that those of us who live in rural areas are beginning to see an increased rise of AIDS in our areas, and the resources we have now allocated to this horrific disease are skewed more to urban areas. I am not proposing an amendment, I just want to bring to the committee's attention that the Ryan White program, which is a very good resource, is skewed to large populations.

Those of us who live in smaller communities, 50,000 and less, have far more difficulty in being able to get those resources. I ask the chairman if we could look for opportunities in the report language to be more fair in the distribution of those resources.

Mr. REGULA. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we have recognized the problem; and we have increased those programs, as the gentlewoman has probably noticed. It has been a difficult issue to balance out all of the demands that confront us in this bill. We have tried to be fair in beefing up that program.

Mrs. CLAYTON. Mr. Chairman, I am very appreciative of what the gentleman has done. I am only saying as a rural-urban allocation, those of us who live in rural communities do not benefit from the program in the same way. I urge the gentleman to work with us during the conference report language to correct some of that disparity.

Mr. REGULA. Mr. Chairman, if the gentlewoman would continue to yield, we are aware of that; and will work with the gentlewoman.

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I congratulate the gentleman from Ohio (Mr. REGULA), the subcommittee chairman, and the gentleman from Florida (Chairman YOUNG) in support of the bill. I appreciate the funding for the Community Access Program which was placed in the bill, the CAP program.

The Census Bureau estimates that for a second year running there has been a decline in the number of uninsured Americans, with 39 million Americans without health insurance. As the Census Bureau also reports, the slowing economy, higher levels of unemployment, and the uncertain future could cause significant growth in the number of uninsured Americans.

The CAP program is used to support a variety of programs to improve access for all levels of care, for the uninsured and the underinsured. CAP helps fill the gaps in our health safety net by improving infrastructure and communication among agencies to ensure that care is continuous.

With better information, agencies can provide preventive, primary, and emergency clinical health services in an integrated and coordinated manner. Each community designs a program which best addresses the needs of the uninsured and underinsured and the providers in their community.

For example, in Florida in Broward County, they use CAP funds to form an informational health line and referral system to publicize health care prevention and points of access for health care services. They purchased new software so that various providers could improve eligibility determinations for public services.

Chicago, Illinois, focused on a CAP grant which institutes disease management best practices because of the county's disproportionately high mortality rates from diabetes and cancer. The CAP program has worked, and is able to reach more than 300,000 residents in Chicago.

Mr. Chairman, in its two short years in existence, this program is very successful; 75 communities around the country have received these funds. I thank the chairman of the full committee and the ranking member, and also the subcommittee for including this provision in the bill.

The CHAIRMAN. Are there additional amendments to title III?

The Clerk will read.

The Clerk read as follows:

#### SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles I-B, E and G, II, III-A, IV, V and VII-A of the Elementary and Secondary Education Act of 1965, as redesignated and amended by H.R. 1 of the 107th Congress, as passed by the House of Representatives on May 23, 2001; the Stewart B. McKinney Homeless Assistance Act; the Civil Rights Act of 1964; section 10105, part B of title IX and part A of title XIII of the Elementary and Secondary Education Act of 1965; and part B of title VIII of the Higher Education Act of 1965; \$7,673,084,000, of which \$2,178,750,000 shall become available on July 1, 2002, and remain available through September 30, 2003, and of which \$1,960,000,000 shall become available on October 1, 2002, and shall remain available through September 30, 2003, for academic year 2002-2003.

#### INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title III, part A of the Elementary and Secondary Education Act of 1965, as redesignated and amended by H.R. 1 of the 107th Congress, as passed by the House of Representatives on May 23, 2001, \$123,235,000.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the remainder of the bill through title V be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of the bill through title V is as follows:

#### BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual, foreign language

and immigrant education activities authorized by title III-A of the Elementary and Secondary Education Act of 1965, as redesignated and amended by H.R. 1 of the 107th Congress, as passed by the House of Representatives on May 23, 2001, \$700,000,000.

#### SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, \$8,860,076,000, of which \$3,516,885,000 shall become available for obligation on July 1, 2002, and shall remain available through September 30, 2003, and of which \$5,072,000,000 shall become available on October 1, 2002, and shall remain available through September 30, 2003, for academic year 2002-2003: *Provided*, That \$9,500,000 shall be for Recording for the Blind and Dyslexic to support the development, production, and circulation of recorded educational materials.

#### REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, \$2,942,117,000, of which \$60,000,000 shall remain available through September 30, 2003: *Provided*, That the funds provided for title I of the Assistive Technology Act of 1998 ("the AT Act") shall be allocated notwithstanding section 105(b)(1) of the AT Act: *Provided further*, That each State shall be provided \$50,000 for activities under section 102 of the AT Act: *Provided further*, That \$40,000,000 shall be used to support grants for up to three years to States under title III of the AT Act, of which the Federal share shall not exceed 75 percent in the first year, 50 percent in the second year, and 25 percent in the third year, and that the requirements in section 301(c)(2) and section 302 of that Act shall not apply to such grants.

#### SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

##### AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), \$13,000,000.

##### NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$55,376,000, of which \$5,376,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

##### GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$95,600,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

#### VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act and the Adult Education and Family Literacy Act and title VIII-D of the Higher Education Act of 1965, as amended, \$2,006,060,000, of which \$1,191,310,000 shall become available on July 1, 2002 and shall remain available through September 30, 2003 and of which \$808,750,000 shall become available on October 1, 2002, and shall remain available through Sep-

tember 30, 2003: *Provided*, That of the amount provided for Adult Education State Grants, \$70,000,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: *Provided further*, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Family Literacy Act, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the Immigration and Naturalization Service data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than \$60,000: *Provided further*, That of the amounts made available for the Adult Education and Family Literacy Act, \$9,500,000 shall be for national leadership activities under section 243 and \$6,560,000 shall be for the National Institute for Literacy under section 242.

#### STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 4 of part A, section 428K, part C and part E of title IV of the Higher Education Act of 1965, as amended, \$12,410,100,000, which shall remain available through September 30, 2003.

The maximum Pell Grant for which a student shall be eligible during award year 2002-2003 shall be \$4,000: *Provided*, That notwithstanding section 401(g) of the Act, if the Secretary determines, prior to publication of the payment schedule for such award year, that the amount included within this appropriation for Pell Grant awards in such award year, and any funds available from the fiscal year 2001 appropriation for Pell Grant awards, are insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose.

#### FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act of 1965, as amended, \$49,636,000.

#### HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, VII, and VIII of the Higher Education Act of 1965, as amended, section 1543 of the Higher Education Amendments of 1992, and the Mutual Educational and Cultural Exchange Act of 1961; \$1,908,151,000, of which \$5,000,000 for interest subsidies authorized by section 121 of the Higher Education Act of 1965, shall remain available until expended: *Provided*, That \$10,000,000, to remain available through September 30, 2003, shall be available to fund fellowships for academic year 2003-2004 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: *Provided further*, That \$1,000,000 is for data collection and evaluation activities for programs under the Higher Education Act of 1965, including such activities needed to comply with the Government Performance and Results Act of 1993.



## HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), \$242,474,000, of which not less than \$3,600,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98-480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES  
LOANS PROGRAM

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, \$762,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY  
CAPITAL FINANCING PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965 shall not exceed \$357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, \$208,000.

EDUCATION RESEARCH, STATISTICS, AND  
IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act of 1994, including part E; the National Education Statistics Act of 1994, including sections 411 and 412; title II-B and C, title IV-A and title VII-A of the Elementary and Secondary Education Act of 1965, as redesignated and amended by H.R. 1 of the 107th Congress, as passed by the House of Representatives on May 23, 2001, \$445,620,000: *Provided*, That \$77,500,000 of the funds provided for the national education research institutes shall be allocated notwithstanding section 912(m)(1)(B-F) and subparagraphs (B) and (C) of section 931(c)(2) of Public Law 103-227.

DEPARTMENTAL MANAGEMENT  
PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of two passenger motor vehicles, \$427,212,000.

## OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$79,934,000.

## OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$38,720,000.

## GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is

nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

This title may be cited as the "Department of Education Appropriations Act, 2002".

## TITLE IV—RELATED AGENCIES

## ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$71,440,000, of which \$9,812,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: *Provided*, That, notwithstanding any other provision of law, a single contract or related contracts for development and construction, to include construction of a long-term care facility at the United States Naval Home, may be employed which collectively include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232-18 and 252.232-7007, Limitation of Government Obligations.

CORPORATION FOR NATIONAL AND COMMUNITY  
SERVICEDOMESTIC VOLUNTEER SERVICE PROGRAMS,  
OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$324,450,000: *Provided*, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by part E of title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

## CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2004, \$365,000,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions,

parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That in addition to the amounts provided above, \$25,000,000, to remain available until expended, shall be for digitalization, pending enactment of authorizing legislation.

FEDERAL MEDIATION AND CONCILIATION  
SERVICE

## SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. ch. 71), \$39,482,000, including \$1,500,000, to remain available through September 30, 2003, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW  
COMMISSION

## SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$6,939,000.

## INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF LIBRARY SERVICES: GRANTS AND  
ADMINISTRATION

For carrying out subtitle B of the Museum and Library Services Act, \$168,078,000, of which \$11,081,000 shall be for projects authorized by section 262 of such Act, notwithstanding section 221(a)(1)(B).

MEDICARE PAYMENT ADVISORY COMMISSION  
SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, \$8,000,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND  
INFORMATION SCIENCE

## SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345, as amended), \$1,000,000.



NATIONAL COUNCIL ON DISABILITY  
SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, \$2,830,000.

NATIONAL LABOR RELATIONS BOARD  
SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$221,438,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD  
SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$10,635,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW  
COMMISSION  
SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), \$8,964,000.

RAILROAD RETIREMENT BOARD  
DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$146,000,000, which shall include amounts becoming available in fiscal year 2002 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds \$146,000,000: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD  
RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$150,000, to remain available through September 30, 2003, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$97,700,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR  
GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than \$6,042,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided*, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 217(g), 228(g), and 1131(b)(2) of the Social Security Act, \$434,400,000.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, \$332,840,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 2003, \$108,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$21,270,412,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

In addition, \$200,000,000, to remain available until September 30, 2003, for payment to the Social Security trust funds for administrative expenses for continuing disability reviews as authorized by section 103 of Public Law 104-121 and section 10203 of Public Law 105-33. The term "continuing disability reviews" means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2003, \$10,790,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to

exceed \$35,000 for official reception and representation expenses, not more than \$7,035,000,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That not less than \$1,800,000 shall be for the Social Security Advisory Board: *Provided further*, That unobligated balances at the end of fiscal year 2002 not needed for fiscal year 2002 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

From funds provided under the first paragraph, not less than \$200,000,000 shall be available for conducting continuing disability reviews.

In addition to funding already available under this heading, and subject to the same terms and conditions, \$433,000,000, to remain available until September 30, 2003, for continuing disability reviews as authorized by section 103 of Public Law 104-121 and section 10203 of Public Law 105-33. The term "continuing disability reviews" means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended.

In addition, \$100,000,000 to be derived from administration fees in excess of \$5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93-66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2002 exceed \$100,000,000, the amounts shall be available in fiscal year 2003 only to the extent provided in advance in appropriations Acts.

From funds previously appropriated for this purpose, any unobligated balances at the end of fiscal year 2001 shall be available to continue Federal-State partnerships which will evaluate means to promote Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

OFFICE OF INSPECTOR GENERAL  
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$19,000,000, together with not to exceed \$56,000,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and

purposes for which this account is available: *Provided*, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

#### UNITED STATES INSTITUTE OF PEACE

##### OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$15,000,000.

#### TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act; *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$20,000 and \$15,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription

with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or sub-contract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state: (1) the percentage of the total costs of the program or project which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 508. (a) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

(b) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

SEC. 510. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 511. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 513. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d-2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

The CHAIRMAN. Are there amendments to the open portion of the bill through title V?

The Clerk will read.

The Clerk read as follows:

#### TITLE VI—EXTENSION OF MARK-TO-MARKET PROGRAM FOR MULTIFAMILY ASSISTED HOUSING

##### SEC. 601. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the "Mark-to-Market Extension Act of 2001".

(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

#### TITLE VI—EXTENSION OF MARK-TO-MARKET PROGRAM FOR MULTIFAMILY ASSISTED HOUSING

Sec. 601. Short title and table of contents.

Sec. 602. Purposes.

Sec. 603. Effective date.

Subtitle A—Multifamily Housing Mortgage and Assistance Restructuring and Section 8 Contract Renewal

Sec. 611. Definitions.

Sec. 612. Mark-to-market program amendments.

Sec. 613. Consistency of rent levels under enhanced voucher assistance and rent restructurings.

Sec. 614. Eligible inclusions for renewal rents of partially assisted buildings.

Sec. 615. Eligibility of restructuring projects for miscellaneous housing insurance.

Sec. 616. Technical corrections.

Subtitle B—Office of Multifamily Housing Assistance Restructuring

Sec. 621. Reauthorization of Office and extension of program.

Sec. 622. Appointment of Director.

Sec. 623. Vacancy in position of Director.



Sec. 624. Oversight by Federal Housing Commissioner.

Sec. 625. Limitation on subsequent employment.

Subtitle C—Miscellaneous Housing Program Amendments

Sec. 631. Extension of CDBG public services cap exception.

Sec. 632. Use of section 8 enhanced vouchers for prepayments.

Sec. 633. Prepayment and refinancing of loans for section 202 supportive housing.

Sec. 634. Technical correction.

**SEC. 602. PURPOSES.**

The purposes of this title are—

(1) to continue the progress of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (referred to in this section as “that Act”);

(2) to ensure that properties that undergo mortgage restructurings pursuant to that Act are rehabilitated to a standard that allows the properties to meet their long-term affordability requirements;

(3) to ensure that, for properties that undergo mortgage restructurings pursuant to that Act, reserves are set at adequate levels to allow the properties to meet their long-term affordability requirements;

(4) to ensure that properties that undergo mortgage restructurings pursuant to that Act are operated efficiently, and that operating expenses are sufficient to ensure the long-term financial and physical integrity of the properties;

(5) to ensure that properties that undergo rent restructurings have adequate resources to maintain the properties in good condition;

(6) to ensure that the Office of Multifamily Housing Assistance Restructuring of the Department of Housing and Urban Development continues to focus on the portfolio of properties eligible for restructuring under that Act;

(7) to ensure that the Department of Housing and Urban Development carefully tracks the condition of those properties on an ongoing basis;

(8) to ensure that tenant groups, nonprofit organizations, and public entities continue to have the resources for building the capacity of tenant organizations in furtherance of the purposes of subtitle A of that Act; and

(9) to encourage the Office of Multifamily Housing Assistance Restructuring to continue to provide participating administrative entities, including public participating administrative entities, with the flexibility to respond to specific problems that individual cases may present, while ensuring consistent outcomes around the country.

**SEC. 603. EFFECTIVE DATE.**

Except as provided in sections 616(a)(2), 633(b), and 634(b), this title and the amendments made by this title shall take effect or are deemed to have taken effect, as appropriate, on the earlier of—

- (1) the date of the enactment of this title; or
- (2) September 30, 2001.

**Subtitle A—Multifamily Housing Mortgage and Assistance Restructuring and Section 8 Contract Renewal**

**SEC. 611. DEFINITIONS.**

Section 512 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding at the end the following new paragraph:

“(19) OFFICE.—The term ‘Office’ means the Office of Multifamily Housing Assistance Restructuring established under section 571.”

**SEC. 612. MARK-TO-MARKET PROGRAM AMENDMENTS.**

(a) FUNDING FOR TENANT AND NONPROFIT PARTICIPATION.—Section 514(f)(3)(A) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) by striking “Secretary may provide not more than \$10,000,000 annually in funding” and inserting “Secretary shall make available not more than \$10,000,000 annually in funding, which amount shall be in addition to any amounts made available under this subparagraph and carried over from previous years.”; and

(2) by striking “entities), and for tenant services,” and inserting “entities), for tenant services, and for tenant groups, nonprofit organizations, and public entities described in section 517(a)(5).”

(b) EXCEPTION RENTS.—Section 514(g)(2)(A) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking “restructured mortgages in any fiscal year” and inserting “portfolio restructuring agreements”.

(c) NOTICE TO DISPLACED TENANTS.—Section 516(d) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking “Subject to” and inserting the following:

“(1) NOTICE TO CERTAIN RESIDENTS.—The Office shall notify any tenant that is residing in a project or receiving assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) at the time of rejection under this section, of such rejection, except that the Office may delegate the responsibility to provide notice under this paragraph to the participating administrative entity.

“(2) ASSISTANCE AND MOVING EXPENSES.—Subject to”.

(d) RESTRUCTURING PLANS FOR TRANSFERS OF PREPAYMENT PROJECTS.—The Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) in section 524(e), by adding at the end the following new paragraph:

“(3) MORTGAGE RESTRUCTURING AND RENTAL ASSISTANCE SUFFICIENCY PLANS.—Notwithstanding paragraph (1), the owner of the project may request, and the Secretary may consider, mortgage restructuring and rental assistance sufficiency plans to facilitate sales or transfers of properties under this subtitle, subject to an approved plan of action under the Emergency Low Income Housing Preservation Act of 1987 (12 U.S.C. 1715l note) or the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4101 et seq.), which plans shall result in a sale or transfer of those properties.”; and

(2) in the last sentence of section 512(2), by inserting “, but does include a project described in section 524(e)(3)” after “section 524(e)”.

(e) ADDITION OF SIGNIFICANT FEATURES.—Section 517 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) by striking subsection (c) (except that the striking of such subsection may not be construed to have any effect on the provisions of law amended by such subsection, as such subsection was in effect before the date of the enactment of this Act);

(2) in subsection (b)—

(A) in paragraph (7), by striking “(7)” and inserting “(1)”;

(B) by adding at the end the following new paragraph:

“(2) ADDITION OF SIGNIFICANT FEATURES.—

“(A) AUTHORITY.—An approved mortgage restructuring and rental assistance suffi-

ciency plan may require the improvement of the project by the addition of significant features that are not necessary for rehabilitation to the standard provided under paragraph (1), such as air conditioning, an elevator, and additional community space. The Secretary shall establish guidelines regarding the inclusion of requirements regarding such additional significant features under such plans.

“(B) FUNDING.—Significant features added pursuant to an approved mortgage restructuring and rental assistance sufficiency plan may be paid from the funding sources specified in the first sentence of paragraph (1)(A).

“(C) LIMITATION ON OWNER CONTRIBUTION.—An owner of a project may not be required to contribute from non-project resources, toward the cost of any additional significant features required pursuant to this paragraph, more than 25 percent of the amount of any assistance received for the inclusion of such features.

“(D) APPLICABILITY.—This paragraph shall apply to all eligible multifamily housing projects, except projects for which the Secretary and the project owner executed a mortgage restructuring and rental assistance sufficiency plan on or before the date of the enactment of the Mark-to-Market Extension Act of 2001.”; and

(3) by inserting after paragraph (6) of subsection (b) the following:

“(c) REHABILITATION NEEDS AND ADDITION OF SIGNIFICANT FEATURES.—”.

(f) LOOK-BACK PROJECTS.—Section 512(2) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding after the period at the end of the last sentence the following: “Notwithstanding any other provision of this title, the Secretary may treat a project as an eligible multifamily housing project for purposes of this title if (I) the project is assisted pursuant to a contract for project-based assistance under section 8 of the United States Housing Act of 1937 renewed under section 524 of this Act, (II) the owner consents to such treatment, and (III) the project met the requirements of the first sentence of this paragraph for eligibility as an eligible multifamily housing project before the initial renewal of the contract under section 524.”.

(g) SECOND MORTGAGES.—Section 517(a) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) in paragraph (1)(B), by striking “no more than the” and inserting the following: “not more than the greater of—

“(i) the full or partial payment of claim made under this subtitle; or

“(ii) the”; and

(2) in paragraph (5), by inserting “of the second mortgage, assign the second mortgage to the acquiring organization or agency,” after “terms”.

(h) EXEMPTIONS FROM RESTRUCTURING.—Section 514(h)(2) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by inserting before the semicolon the following: “, or refinanced pursuant to section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note)”.

**SEC. 613. CONSISTENCY OF RENT LEVELS UNDER ENHANCED VOUCHER ASSISTANCE AND RENT RESTRUCTURINGS.**

Subtitle A of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding at the end the following new section:

**“SEC. 525. CONSISTENCY OF RENT LEVELS UNDER ENHANCED VOUCHER ASSISTANCE AND RENT RESTRUCTURING.**

“(a) IN GENERAL.—The Secretary shall examine the standards and procedures for determining and establishing the rent standards described under subsection (b). Pursuant to such examination, the Secretary shall establish procedures and guidelines that are designed to ensure that the amounts determined by the various rent standards for the same dwelling units are reasonably consistent and reflect rents for comparable unassisted units in the same area as such dwelling units.

“(b) RENT STANDARDS.—The rent standards described in this subsection are as follows:

“(1) ENHANCED VOUCHERS.—The payment standard for enhanced voucher assistance under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)).

“(2) MARK-TO-MARKET.—The rents derived from comparable properties, for purposes of section 514(g) of this Act.

“(3) CONTRACT RENEWAL.—The comparable market rents for the market area, for purposes of section 524(a)(4) of this Act.”

**SEC. 614. ELIGIBLE INCLUSIONS FOR RENEWAL RENTS OF PARTIALLY ASSISTED BUILDINGS.**

Section 524(a)(4)(C) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding after the period at the end the following: “Notwithstanding any other provision of law, the Secretary shall include in such budget-based cost increases costs relating to the project as a whole (including costs incurred with respect to units not covered by the contract for assistance), but only (I) if inclusion of such costs is requested by the owner or purchaser of the project, (II) if inclusion of such costs will permit capital repairs to the project or acquisition of the project by a nonprofit organization, and (III) to the extent that inclusion of such costs (or a portion thereof) complies with the requirement under clause (ii).”

**SEC. 615. ELIGIBILITY OF RESTRUCTURING PROJECTS FOR MISCELLANEOUS HOUSING INSURANCE.**

Section 223(a)(7) of the National Housing Act (12 U.S.C. 1715n(a)(7)) is amended—

(1) by striking “under this Act: *Provided*, That the principal” and inserting the following: “under this Act, or an existing mortgage held by the Secretary that is subject to a mortgage restructuring and rental assistance sufficiency plan pursuant to the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note), provided that—

“(A) the principal”;  
 (2) by striking “except that (A)” and inserting “except that (i)”;  
 (3) by striking “(B)” and inserting “(ii)”;  
 (4) by striking “(C)” and inserting “(iii)”;  
 (5) by striking “(D)” and inserting “(iv)”;  
 (6) by striking “: *Provided further*, That a mortgage” and inserting the following “; and  
 “(B) a mortgage”;

(7) by striking “or” at the end; and  
 (8) by adding at the end the following new subparagraph:

“(C) a mortgage that is subject to a mortgage restructuring and rental assistance sufficiency plan pursuant to the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) and is refinanced under this paragraph may have a term of not more than 30 years; or”.

**SEC. 616. TECHNICAL CORRECTIONS.**

(a) EXEMPTIONS FROM RESTRUCTURING.—

(1) IN GENERAL.—Section 514(h) of the Multifamily Assisted Housing Reform and Af-

fordability Act of 1997 (42 U.S.C. 1437f note) is amended to read as if the amendment made by section 531(c) of Public Law 106-74 (113 Stat. 1116) were made to “Section 514(h)(1)” instead of “Section 514(h)”.

(2) RETROACTIVE EFFECT.—The amendment made by paragraph (1) of this subsection is deemed to have taken effect on the date of the enactment of Public Law 106-74 (113 Stat. 1109).

(b) OTHER.—The Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) in section 511(a)(12), by striking “this Act” and inserting “this title”;

(2) in section 513, by striking “this Act” each place such term appears in subsections (a)(2)(I) and (b)(3) and inserting “this title”;

(3) in section 514(f)(3)(B), by inserting “Housing” after “Multifamily”;

(4) in section 515(c)(1)(B), by inserting “or” after the semicolon;

(5) in section 517(b)—

(A) in each of paragraphs (1) through (6), by capitalizing the first letter of the first word that follows the paragraph heading;

(B) in each of paragraphs (1) through (5), by striking the semicolon at the end and inserting a period; and

(C) in paragraph (6), by striking “; and” at the end and inserting a period;

(6) in section 520(b), by striking “Banking and”; and

(7) in section 573(d)(2), by striking “Banking and”.

**Subtitle B—Office of Multifamily Housing Assistance Restructuring**

**SEC. 621. REAUTHORIZATION OF OFFICE AND EXTENSION OF PROGRAM.**

Section 579 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

“(a) REPEALS.—

“(1) MARK-TO-MARKET PROGRAM.—Subtitle A (except for section 524) is repealed effective October 1, 2006.

“(2) OMHAR.—Subtitle D (except for this section) is repealed effective October 1, 2004.”;

(2) in subsection (b), by striking “October 1, 2001” and inserting “October 1, 2006”;

(3) in subsection (c), by striking “upon September 30, 2001” and inserting “at the end of September 30, 2004”; and

(4) by striking subsection (d) and inserting the following new subsection:

“(d) TRANSFER OF AUTHORITY.—Effective upon the repeal of subtitle D under subsection (a)(2) of this section, all authority and responsibilities to administer the program under subtitle A are transferred to the Secretary.”.

**SEC. 622. APPOINTMENT OF DIRECTOR.**

(a) IN GENERAL.—Section 572 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking subsection (a) and inserting the following new subsection:

“(a) APPOINTMENT.—The Office shall be under the management of a Director, who shall be appointed by the President from among individuals who are citizens of the United States and have a demonstrated understanding of financing and mortgage restructuring for affordable multifamily housing.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to the first Director of the Office of Multifamily Housing Assistance Restructuring of the Department of Housing and Urban Development appointed after the date of the enactment of

this Act, and any such Director appointed thereafter.

**SEC. 623. VACANCY IN POSITION OF DIRECTOR.**

(a) IN GENERAL.—Section 572 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking subsection (b) and inserting the following new subsection:

“(b) VACANCY.—A vacancy in the position of Director shall be filled by appointment in the manner provided under subsection (a). The President shall make such an appointment not later than 60 days after such position first becomes vacant.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any vacancy in the position of Director of the Office of Multifamily Housing Assistance Restructuring of the Department of Housing and Urban Development which occurs or exists after the date of the enactment of this Act.

**SEC. 624. OVERSIGHT BY FEDERAL HOUSING COMMISSIONER.**

(a) IN GENERAL.—Section 578 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended to read as follows:

**“SEC. 578. OVERSIGHT BY FEDERAL HOUSING COMMISSIONER.**

“All authority and responsibilities assigned under this subtitle to the Secretary shall be carried out through the Assistant Secretary of the Department of Housing and Urban Development who is the Federal Housing Commissioner.”.

(b) REPORT.—The second sentence of section 573(b) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking “Secretary” and inserting “Assistant Secretary of the Department of Housing and Urban Development who is the Federal Housing Commissioner”.

**SEC. 625. LIMITATION ON SUBSEQUENT EMPLOYMENT.**

Section 576 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking “2-year period” and inserting “1-year period”.

**Subtitle C—Miscellaneous Housing Program Amendments**

**SEC. 631. EXTENSION OF CDBG PUBLIC SERVICES CAP EXCEPTION.**

Section 105(a)(8) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(8)) is amended by striking “through 2001” and inserting “through 2003”.

**SEC. 632. USE OF SECTION 8 ENHANCED VOUCHERS FOR PREPAYMENTS.**

Section 8(t)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)(2)) is amended by inserting after “insurance contract for the mortgage for such housing project” the following: “(including any such mortgage prepayment during fiscal year 1996 or a fiscal year thereafter or any insurance contract voluntary termination during fiscal year 1996 or a fiscal year thereafter)”.

**SEC. 633. PREPAYMENT AND REFINANCING OF LOANS FOR SECTION 202 SUPPORTIVE HOUSING.**

(a) IN GENERAL.—Section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended by striking subsection (e).

(b) EFFECTIVENESS UPON DATE OF ENACTMENT.—The amendment made by subsection (a) of this section shall take effect upon the date of the enactment of this Act and the provisions of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note), as amended



by subsection (a) of this section, shall apply as so amended upon such date of enactment, notwithstanding—

(1) any authority of the Secretary of Housing and Urban Development to issue regulations to implement or carry out the amendments made by subsection (a) of this section or the provisions of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note); or

(2) any failure of the Secretary of Housing and Urban Development to issue any such regulations authorized.

#### SEC. 634. TECHNICAL CORRECTION.

(a) IN GENERAL.—Section 101(a) of Public Law 100-77 (42 U.S.C. 11301 note) is amended to read as if the amendment made by section 1 of Public Law 106-400 (114 Stat. 1675) were made to “Section 101” instead of “Section 1”.

(b) RETROACTIVE EFFECT.—The amendment made by subsection (a) of this section is deemed to have taken effect immediately after the enactment of Public Law 106-400 (114 Stat. 1675).

Mr. REGULA (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 102, line 2, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

AMENDMENT NO. 6 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent to offer amendment No. 6 from the end of the bill at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. TRAFICANT:

Page \_\_\_, after line \_\_\_, insert the following new section:

SEC. \_\_\_. No funds appropriated in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 10a-10c).

Mr. TRAFICANT. Mr. Chairman, this amendment is a straight limitation. None of the funds appropriated in the act may be made available to any person or entity that has violated the Buy American Act.

Mr. Chairman, the House should pay attention to something that concerns me, and the appropriators especially. A notice has been posted that the windows of the Capitol will have installed a protective covering because of the September 11 terrorist attack and the increased focus on terrorism. The company that made the product that will be installed on the Capitol windows is from Belgium.

One of the big contracts given for the rebuilding of the Pentagon is to a French company; and I might remind Members when we had a problem with Khadafi, France would not let us use

their air space or their airports. Our military has bought boots from China, and probably most of the flags Members see waving throughout America as a symbol of American patriotism were made in Chinese sweatshops.

Mr. Chairman, the amendment makes sense. But I believe the leaders of the Committee on Appropriations should start looking at procurement. We certainly do not have to be an isolationist Nation or protectionist Nation; but on military procurement, especially, I think we should almost demand American products in the end that someday we may face a nation who we depend on for a product that may not be all that friendly to us.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we are prepared to accept this amendment on our side.

Mr. TRAFICANT. Mr. Chairman, I want to compliment the chairman, who is my neighbor. The subcommittee has done a tremendous job.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEARNS:

At the end of title V, insert after the last section (preceding the short title) the following section:

SEC. 5 \_\_\_. Of the amounts otherwise made available in this Act to the Corporation for Public Broadcasting for fiscal year 2002, \$12,000,000 is transferred and made available under the account for the Public Health and Social Services Emergency Fund as an additional amount to support activities of the Centers for Disease Control and Prevention.

Mr. OBEY. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

□ 1715

Mr. STEARNS. Mr. Chairman, this is a very simple amendment. Basically it tries to help the Centers for Disease Control and Prevention that relates to biological disease and chemical threats to the civilian population and it essentially takes about 3 percent from the Public Broadcasting Corporation and moves it over to the Centers for Disease Control and Prevention.

Just this last week, our headline news has had two frightening what-ifs, particularly in Florida. Three individuals have come in contact with a manufactured form of anthrax. Of course, one person lost his life. Americans, of course, felt this, as a collective body, sort of a shiver upon hearing about this news. Early this week, we saw the case in the D.C. Metro where somebody sprayed the crowd, unsuspecting crowd.

It turns out that about 35 people on the train, they had to evacuate. This whole process of what could happen if anthrax is used in our country in a large population is a great concern. And so I think the Centers for Disease Control and Prevention should have sufficient funds to study this. I do not believe the CDC has had sufficient funds, and so this is a very small amount, about 3 percent, from the Public Broadcasting Corporation. We take from them and give to CDC, particularly for biological disease and chemical threat prevention studies. I think it is a modest amount.

Mr. Chairman, on this debate can I control the balance of my time?

The CHAIRMAN. The gentleman must use his time or yield it back.

Mr. STEARNS. Let me conclude by saying that perhaps all of you saw recently in the newspaper that the FCC now has allowed the Corporation for Public Broadcasting to advertise as a means of getting more revenues to their budget. Surely if PBS is going to use tax dollars to support itself, a small amount could be contributed to the Centers for Disease Control and Prevention, because really public broadcasting has now asked the FCC if we can start to advertise to get revenue, much like private corporations. So the Public Broadcasting System is out there doing the same thing that the private corporations are going to do. The FCC is going to allow it, they are going to be able to advertise to collect revenue, and these revenues will go to help support the Public Broadcasting System, and I think this is good. I think the Public Broadcasting System should have a certain amount of revenues from advertising. However, I do not think they need to continue to be on the public dole, that the government has to support them with taxpayer-supported money.

So I think this is a small effort to say we need to help the Centers for Disease Control and Prevention and, more importantly, have them take this money and use it to study things like the proliferation of anthrax and to prepare this Nation for some of the pitfalls that might occur because of that.

Mr. Chairman, I ask my colleagues to vote “yes” on the Stearns amendment.

The CHAIRMAN. Does the gentleman from Wisconsin insist on the point of order?

Mr. OBEY. Mr. Chairman, my understanding is that the point in the bill at which this amendment would be in order has already been passed and so clearly, under the House rules, the gentleman's amendment is not in order at this time. However, as a courtesy to him and in an effort to save time, I will not insist on the point of order. I would simply move to strike the last word.

The CHAIRMAN. The gentleman does not insist on the point of order and is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, this amendment is not what it appears to



be. It is a trojan horse amendment. We all are aware of the terrorism problem that has befallen this country and the world. This amendment, in essence, pretends to do something significant about it when, in fact, what it does about it is something that is minuscule and not at all long lasting. What this amendment really is is a subterranean attack on public television all over America.

The public television stations of this country are required by an FCC mandate to move to digital technology. This bill provides the money, at least the Federal share of the money, to help them do that. What this amendment would do is to cut in half the Federal money which is being provided in order to enable those stations to fulfill that Federal mandate. And what it does is it pretends that it is going to have a significant impact on programs run by the Centers for Disease Control by transferring \$12 million to that agency.

In fact, this bill already contains \$232 million for that agency, a 28 percent increase over last year, and by the time we have finished with the antiterrorism supplemental, there will be probably at least another \$1 billion and maybe as much as \$2 billion, not million but billion, for the very same purpose that this amendment purports to add money for this evening.

So I would suggest the real way, the real way, the effective way to deal with the problem of terrorist attacks on this country in the form of biological or chemical agents is to support the committee bill and to support the follow-on supplemental which will be provided to this House before the appropriation process is finished under the agreement that we have reached with the White House.

I would urge, under those circumstances, that Members not be deceived into thinking that this is a significant effort to deal with that problem. It is minuscule compared to the funding that will be needed and will be provided by Members on both sides of the aisle. And so I would urge rejection of the amendment, unless, of course, you want to insist on a Federal mandate without paying for it.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to this amendment because we have already added \$100 million to the CDC on bioterrorism. Their total account is almost \$400 million. In addition, the Secretary of Health and Human Services has been assured that CDC will receive a portion of the money in the \$20 billion that we appropriated as a result of the events of September 11. So I think there is going to be a lot of money flowing to CDC for bioterrorism. In addition, we beefed up the public health account.

Now, public broadcasting, and it is public broadcasting, I do not always

agree with what they do, but they have been required by FCC to go to digital. And, of course, eventually the public, as they purchase new television sets, will likewise be able to receive digital programming which will, of course, improve the quality of the broadcasting. While I may not be enthused about some of the things the Corporation for Public Broadcasting does, I think it is our responsibility since it is the FCC which is a Federal agency that has made this order, and since it is public broadcasting, to support them as this appropriation does.

If I thought there was a shortage in CDC, I would perhaps have a different approach. But, again, we have enormously beefed up the CDC money, plus the fact that they are going to get a very sizable sum from the \$20 billion that we have already put in for emergency funding for national security.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me point out that the President will send to this Congress tomorrow a request for \$2 billion, not 12 million dollars but \$2 billion to combat disease-related potential attacks from any source.

I would urge the House not to fall into the trap of using our concern over the incident that happened a month ago to screw up every other program that the government is engaged in. I mean, that is essentially what would happen if this amendment is adopted with respect to our obligation to help finance the mandate that the Federal Government created with respect to digitalization.

If the Members want to support a real effort to help CDC prepare this country, they will support that \$2 billion request. They will not cut in half what we are trying to do here for digitalization for public television in order to create the appearance that we have done something significant which, in fact, would be a thimbleful in an ocean in terms of its impact.

Mr. REGULA. Mr. Chairman, reclaiming my time, that is correct. I am advised by our leadership, also, that there will be a \$2 billion request by the Administration in additional emergency funding for the Centers for Disease Control to deal with bioterrorism, and that is a lot of money. I do not believe we should cripple the ability of the Corporation for Public Broadcasting to move into the 21st century in their ability to transmit to the public effectively. Obviously the FCC would not have made this requirement if it were not an important element of their ability to serve the public.

I, therefore, oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

At the end of title V, insert after the last section (preceding the short title) the following section:

SEC. 5. None of the funds made available in this Act for the Department of Health and Human Services may be used to grant an exclusive or partially exclusive license pursuant to chapter 18 of title 35, United States Code, except in accordance with section 209 of such title (relating to the availability to the public of an invention and its benefits on reasonable terms).

Mr. REGULA. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. SANDERS. Mr. Chairman, this is a very simple amendment to lower the cost of prescription drugs in this country. It is tripartisan and is cosponsored by the gentleman from California (Mr. ROHRBACHER), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Texas (Mr. PAUL) and the gentlewoman from New York (Mrs. MALONEY).

When I first introduced a version of this amendment in 1996, it received 180 votes. Last year, however, it passed 313–109. There is a lot of support for this amendment in this body. I offer it tonight again in the hope that the Senate will agree favorably to it and begin to lower the price of prescription drugs developed with the taxpayers' money through the National Institutes of Health. This amendment is supported by organizations representing millions of American citizens, including Families USA, the Alliance for Retired Americans, the National Committee to Preserve Social Security and Medicare, and Public Citizen.

Mr. Chairman, over the years, the taxpayers of this country have contributed billions of dollars to the National Institutes of Health for research into new and important drugs, and that research money has paid off. It has worked. Between 1955 and 1992, 92 percent of drugs approved by the FDA to treat cancer were researched and developed by the NIH. Today, many of the most widely used drugs in this country dealing with a variety of illnesses were developed through NIH research, and that is very good news for all of us.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, would the gentleman yield back the balance of his time if we said that we would accept the amendment?

Mr. SANDERS. If the gentleman would let me finish my statement, I have 2 more minutes. And he is going to accept it. I am happy to hear that.

□ 1730

Mr. OBEY. Mr. Chairman, what if we will not accept it if the gentleman finishes his speech?

Mr. SANDERS. Mr. Chairman, I will read fast. It will be done in a minute-and-a-half.

Mr. Chairman, I appreciate the chairman and ranking member agreeing to accept the amendment. But the point here is that the bad news, by and large, is that those drugs that were developed at taxpayer expense were given over to the pharmaceutical industry with no assurance that American consumers would not be charged outrageously high prices. The pharmaceutical companies constitute the most profitable industry in America, yet while their profits soar, millions of Americans cannot afford the prescription drugs they desperately need because of the high prices they are forced to pay. That is bad. But what is even worse is that many of these same drugs were developed with taxpayer dollars.

Imagine a situation where taxpayers contribute to develop a drug, and then the person who paid taxes to develop that drug cannot afford to buy it. That is an outrage.

There are many crises in terms of the high cost of prescription drugs in this country. This amendment deals with one narrow aspect of that problem. If taxpayers in America are going to contribute billions to develop drugs, then when those drugs are marketed by the pharmaceutical industry they must be sold at a reasonable price; and that is what this amendment does.

I could list, but I will not, the many, many drugs that receive Federal assistance that are now sold for outrageously high prices. It is time for the United States Congress to stand up to represent the taxpayers and consumers of this country and support this amendment.

Let me simply conclude by mentioning with gratitude that last year over 300 Members of this House overwhelmingly supported this amendment. I am very delighted and proud that the chairman and the ranking member are prepared to accept it and that I hope that we can go on tonight.

Mr. PAUL. Mr. Chairman will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Texas.

Mr. PAUL. Mr. Chairman, I thank the gentleman for yielding.

I am pleased that the amendment will be approved because I am a co-sponsor of this amendment. I compliment the gentleman for bringing this to the floor.

Mr. SANDERS. Mr. Chairman, reclaiming my time, I thank the gen-

tleman from Texas (Mr. PAUL) for his strong support.

The CHAIRMAN. Is there further discussion on the amendment?

Does the gentleman from Ohio (Mr. REGULA) insist on his point of order?

Mr. REGULA. Mr. Chairman, we withdraw our reservation and are prepared to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY Mr. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ISTOOK:  
At the end of the bill (before the short title), insert the following:

#### TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. The amounts otherwise provided by this Act are revised by increasing the amount made available in the second sentence under the heading "Health Resources and Services" for special projects of regional and national significance under section 501(a)(2) of the Social Security Act, reducing the aggregate amount made available under the heading "Disease Control, Research, and Training", and reducing the aggregate amount made available under the heading "Payments to States for the Child Care and Development Block Grant", by \$33,000,000, \$16,000,000, and \$17,000,000, respectively.

Mr. OBEY. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) is recognized for 5 minutes.

Mr. ISTOOK. Mr. Chairman, this deals with the matter that was offered earlier during the debate on this bill to make available an additional \$33 million for Abstinence Education Grants.

The offset, of course, is different from what it was before. It is now under the Disease Control, Research, and Training program, which, among other things, provides funding for combating sexually transmitted diseases, as well as other diseases.

Mr. Chairman, this is in response to the great crisis that we have had for decades regarding teen pregnancy, teen sexual activity, unwed births, and the tremendous catastrophic effect that it has had on America and on millions and millions of lives in America. For decades, since the 1970s, Mr. Chairman, we have been funding so-called safe sex programs, family planning programs, things using a euphemism for telling kids it is okay to have sex, as long as you are careful about it.

What has been the result during that time? Mr. Chairman, as Federal funding for these programs went up, teenage pregnancies and unwed births went up along with it. The more we sent a mixed message that says it is okay to have sex out of wedlock, it is okay, kids, just be safe about it, the more we

undercut what Mom and Dad tell their kids, the more we undercut what they are taught at church, the more we found that we got more of the problem.

But only when first in private funding and then, in 1995, in Federal funding, did we start funding the abstinence programs that taught kids about waiting until marriage and upholding values, only then have we started to see this number come down in teenage unwed births.

That is what this is about, Mr. Chairman. We started funding that in 1995 at the rate of \$50 million a year, and then, in the last year, we began adding to that at a rate of \$70 million a year. To the chairman's credit, the bill in front of us would bring that number to \$90 million, but it does not bring it to parity with what we have been spending to promote so-called safe sex, family planning. "It is okay to do it as long as you try to be careful," and teenagers are not able to be careful that way, Mr. Chairman.

This is bringing parity, as the President has proposed. As we have the supportive letter from OMB to support that, this is bringing parity to the funding, saying that we ought to be spending at least as much on the message of abstinence as we are on the other message.

We defined what we meant by abstinence. Teaching that has as its exclusive purpose the social, psychological, and health gains to be realized by abstaining from sexual activity. Teaching that abstinence from sexual activity for teens outside marriage is the expected standard, and it is the only way to prevent unwanted pregnancy and the only way to prevent sexually transmitted diseases that have exploded along with the explosion of teen pregnancies.

Mr. Chairman, this is just saying let us have parity. This does not attack the programs that we have been funding for years, but it does say that it is about time that the average American, the typical American, the normal values of everyday people in this country, receive the same emphasis from their government as we have put on other things.

I ask Members to join me, Mr. Chairman, in supporting this amendment; in supporting the \$33 million which we calculated and the President calculated would bring parity. Frankly, Mr. Chairman, I have got to tell you, it is probably still about \$15 million short of that parity, but I am not asking for a higher number.

We asked early on in this session for this amount, this \$73 million for the grants on top of the \$50 million that goes to the States to do this. And there is huge demand for it. When the first grants were awarded this year under the grant program, only \$20 million was available. Applicants applied for seven times that amount. The Department of Health and Human Services



was overwhelmed with the number of applications. They have never had such a response to a new program as they had for this.

Mr. Chairman, we need to put this funding in place. We have the hundreds of billions of dollars in this bill. We have the extra billions that were added in just the last week or two. It is not asking too much to say that we ought to be active in seeking the abstinence education.

Mr. Chairman, I move adoption of the amendment.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. OBEY. No, I do not, Mr. Chairman.

I move to strike the last word.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, the account that the gentleman is asking that we increase has been increased in this bill by 100 percent. The account that the gentleman would cut in order to finance the increase that he is asking for is the account that funds infectious disease control efforts at CDC; it is the account that funds the disease detectives who are right now at this very moment searching for anthrax; it is the account that funds breast and cervical screening; it is the account that funds TB control; it is the account that funds sexually transmitted diseases; and, in addition to that, the gentleman cuts the Child Care Block Grant account.

Now, I would point out that with respect to the item that the gentleman seeks to increase, he seeks to increase the funding that we are providing for abstinence programs. I fully support those programs. I voted for them in the past, and I have helped the gentleman get the funding for them. I would point out that the increase that the gentleman has gotten in this bill for those family planning programs is twice as high as the increase that we have provided in this bill for the traditional family planning programs.

So the gentleman has already gotten the better part of the deal. Now he is asking us to fund yet another increase. And I have no problem with that increase. I have no problem with it whatsoever. If the gentleman wants to cut back some tax cuts in order to pay for it, or if he wants to find some other reasonable accounts to cut, fine, I am all for it. But I am not for funding a greater than 100 percent increase in this account by reducing the other accounts before us.

I find it ironic that the previous amendment is trying to increase the activities that the gentleman is trying to cut with this amendment. This committee is being whipsawed. One minute we are being hit from the northeast, and the next minute we are being hit from the southwest.

We are in the center with this bill.

We have got a bipartisan compromise, we have got reasonable increases for all of these programs, and I would urge that in the interests of maintaining the balance in this bill, that we oppose the gentleman's amendment.

If we can find some other way in conference to increase funding for this in a balanced way, I have no sweats about that. But I am certainly not interested in funding this increase at the expense of the decreases that I have just described.

Mr. REGULA. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I rise in opposition because in part it takes money from very important programs, Child Care Development Block Grants. We are all concerned about child care. We have heard earlier today statements about the impact of September 11 on children, and that is just part of the needs that face this Nation.

Likewise, we have just had a discussion on the importance of the Center for Disease Control for research and training, again a response to the impact of events over the recent time.

I would want to point out that I do not quarrel with what the gentleman's goals are, and I think this program should be increased, and we recognize that. We went \$10 million more than the President requested in his budget. We went \$20 million more than last year.

It is not that we are ignoring this program. It is not that we do not think it has great potential. I talked to a lady in my district who is working with this program, and she pointed out to me a number of effective things that are being done in the schools. But I think it needs to be developed incrementally.

I believe that the money that we have put in, working to improve the program, will accomplish the goals; and I would hope that in the future we will have more evidence, such as what I have heard from one of my constituents, that will persuade us that we should have another sizable increase in the future.

But obviously if we are \$10 million over the President and \$20 million over last year, we are recognizing the value of this program, and when I have to balance this off against the Centers for Disease Control and all the items that the gentleman from Wisconsin mentioned that are part of the Child Care Development Block Grant, it just does not balance out in terms of equities.

We have tried to have a balanced bill here. We have tried to recognize all the different programs that are important. I think in adding \$10 million over the President, \$20 million over last year's budget, we are being fair in what is available for this program.

I would urge Members to vote against this amendment.

□ 1745

Mr. PENCE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK), my friend and colleague; but I would begin my brief remarks on this bill by commending the chairman and the ranking member for their very sincere commitment to abstinence education and acknowledging the increases in the current bill, \$20 million over last year, as the chairman said, and \$10 million even over the President's request.

But I, nevertheless, rise today in support of that noble, right, pure, and true belief that we as a people should reconsider our approach to family planning and to sex education and treatment in America today. The truth is that we have a problem. Mr. Chairman, 3 million teenagers a year are catching sexually transmitted disease. The United States has, Mr. Chairman, the highest teenage pregnancy rate of all developed countries in the world, despite billions of dollars spent over decades in traditional methods of birth control. Mr. Chairman, 1 million teenagers become pregnant each year, and one-third of those pregnancies end tragically in abortion.

Not only do we have a problem, Mr. Chairman, but we have a solution. Abstinence education, as the gentleman from Ohio (Mr. REGULA), the chairman of the subcommittee, just reflected passionately works. We know that it works. From the district that I serve in Indiana, we have seen church organizations and civic organizations come together to promote abstinence as an alternative. Here in Washington, D.C. where 15 percent of girls become sexually active in the eighth grade, according to statistics, there is a program known as the Best Friends Foundation, which has reduced that number to 5 percent in real terms. In the District of Columbia, 27 percent of girls age 15 to 19 become pregnant each year, but among the Best Friends girls in that age range, only 2.5 percent have ever become pregnant. Abstinence, as the gentleman from Oklahoma (Mr. ISTOOK) says and as the chairman and the ranking member reflect, abstinence works and we ought to be making a serious and concerted commitment.

Another example: in Rochester, New York, the Not Me Not Now program achieved remarkable results over a 4-year period. First intercourse incidents among 15-year-olds dropped from 47 percent to 32 percent, and among 17-year-olds it dropped from 54 percent to 40 percent. Mr. Chairman, these are real gains; these are real improvements. But we have a real need, despite the outstanding work of the committee on this important piece of legislation. I, along with the gentleman from Oklahoma (Mr. ISTOOK), believe that we can

and should do more; that, in fact, by adding \$33 million to the annual title V SPRANS Community Abstinence Education program, we will do much to meet what is a real need in America today.

The title V program received 359 applications last year in its first year of operation in funding abstinence programs around America. That was the largest number of applications for a single new grant program that anyone at HHS can even remember. It would have required \$165 million in authorization to fund all of the applicants. This modest increase of \$73 million still will not meet the need; but it will move us closer to a new vision, a balanced vision when it comes to sex education in America today.

So again, with great respect to the chairman and to the ranking member for their commitment to abstinence education, which I acknowledge today, Mr. Chairman, is real and is heartfelt and is genuine; and with appreciation for the increased commitment to abstinence education in this bill I, nevertheless, very respectfully stand with the gentleman from Oklahoma (Mr. ISTOOK) and others to say that we can and should do more.

Mr. DOGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, abstinence education. With all due respect to the good intentions of the author of the amendment, as far as this amendment and the priority-setting that produced this amendment on the floor of Congress today, I think the whole matter is a true embarrassment.

The Pentagon held a memorial service this morning. It had a memorial service for the men and women that we lost on September 11. Their loved ones were not killed because of inadequate abstinence education; they were killed because of major security breaches in our airports, and it is high time that this Congress do something about it. Across our country, millions of Americans have honored the victims of September 11 with a moment of silence. Well, this House has acted with more than a moment; it has had a month of silence and inaction on the security issue that lies at the heart of this tragedy. We can talk about the pros and cons of abstinence education all night long, and I guess some would like to do that, but when are we going to talk about effective measures to ensure abstinence for terrorism?

I think that it is long past time to stop wasting our time talking about safe sex and start talking about safe flight. In the 30 days that have now passed since four airplanes were hijacked and crashed, the Congress has failed utterly to provide for airline security. This inaction borders on indifference, and it is a disgrace. If four crashes were not enough to make this

body respond, what in the world will? Can we not devote at least as much time to this issue that every family in America is concerned about tonight as we devote to talking about abstinence?

One week after this attack, and this is part of a series of problems; it is not just this amendment, one week after this attack, what was this House doing? We were debating a family court in the District of Columbia. Two weeks after this attack, we were establishing National Character Counts Week. Three weeks after this tragedy, we were considering the farm bill and approving the Virgin River Dinosaur Footprint Preserve. This week, we are looking at Fast Track trading authority, more tax breaks for corporations, and abstinence.

When in the world is this Congress going to deal with what Americans are really concerned about: Will my wife get home safe tonight? Can the kids come home for Thanksgiving? Those are the issues that we ought to be establishing as our priorities.

We will not decrease terrorism by hoping that terrorists abstain from further attacks. We will not be able to trade our way into the hearts of the Taliban, and we will not make our families safer by spending millions of dollars on abstinence education instead of substituting skilled federal law enforcement on our airlines to search the bags and be there when we go through the screening process instead of some minimum-wage worker who could not get a job anywhere else. And of all times, on a day when we are more and more concerned about Anthrax, to fund this increased abstinence education by cutting the Centers for Disease Control borders on insanity in terms of the priorities of this Congress.

It has been 30 days, 30 days since September 11; and while most Americans would have said, if asked, and if they had been here on the floor of this Congress, do something about airline security, do something about bioterrorism, and leave all of this other stuff alone. This Congress is not doing it. This leadership will not permit us to debate the issue of aviation safety and the needs on bioterrorism tonight in this Congress because there is a hard-line ideological commitment that if we add one worker to the federal workforce, even if they are to screen our bags, even if they are to screen the passengers, that that is somehow a bad thing.

Mr. Chairman, I think we need to put a stop to the old way of dealing with these problems and the old ideologies and recognize that we have a new world after September 11. It is time to reject those old ways. The failure to discuss airline security results from those old ways that some refused to abandon.

Mr. Chairman, at 4:28 this afternoon, another headline out: "FBI Issues Terrorist Strikes Warning," which says

that either inside or outside the United States, during the next several days, we may face additional terrorist attacks. Whether they are through Anthrax or through airlines, this Congress ought to be dealing with these security issues as a top priority.

The fact that our National Guard, and now our border guards, are being pulled off the border and put into the airports, the fact that this is happening results from the inaction of this Congress. The failure of this Congress to act, which caused one Member of the other body, Senator MCCAIN from Arizona, to say it last night, this in his words "a farce"; and today is a continuation of that farce, resulting from our failure to deal with this security priority tonight.

Mr. HAYES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me say that the last time I checked, the item before this Congress at the moment was the Labor-HHS bill. I totally and thoroughly disagree with the gentleman's characterization of the activity of this Congress. Twenty-four hours a day, 7 days a week for the last 30 days we have been working very hard to deal with the issues that he says we are ignoring.

Back to the bill. I want to thank the gentleman from Ohio (Mr. REGULA) and to the gentleman from Wisconsin (Mr. OBEY) for their consideration in increasing spending for a very crucial issue, which is abstinence-until-marriage funding. I do not know of too many things from a security standpoint that is any more important than the health of our young people today. As we look at ways to increase the funding which will improve health conditions for our young people, I appreciate their concern, their approval of the funds; and I hope if this is not the right place, I am sure that my colleagues will find the right place to do this.

In North Carolina we have a law that we worked very, very hard in a bipartisan fashion to pass; and that law says that we will have in our health education curriculum that abstinence until marriage is the expected standard of behavior. Young people, teenagers in particular, are very, very bright. They respond to proper leadership and good examples. If we tell them that this promiscuous behavior is going to happen, they cannot make the right choices, and then offer them contraceptives which have a 20 percent failure rate, we have not done our duty. We have not protected our young people. But if we say to them, abstinence until marriage is the healthy way to 100 percent provide protection from sexually transmitted diseases and unwanted pregnancies, then I say to my colleagues, we have done our job.

So I want to thank the gentleman from Oklahoma (Mr. ISTOOK) and the



gentleman from Ohio (Mr. REGULA) and the gentleman from Wisconsin (Mr. OBEY) for their attention to this matter. I commend the amendment, I support it very strongly, and I would love to work with my colleagues in any way to make sure we make this happen. By the way, the President in a recent letter does support funding at the \$73 million level.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Istook amendment. The Labor-HHS bill contains many programs that are very important to the American people. At this time of crisis and increased concern about the public welfare, we have a greater obligation than ever before to prioritize. The chairman of the subcommittee and the ranking member have made an extraordinary effort to bring this good, balanced bill to the floor, and I thank them.

The Istook amendment, I believe, undermines the bipartisan commitment we have made to move this bill without unnecessary conflicts. It would increase funding for a single health education grant program by \$33 million. Funding began 1 year ago at \$20 million, and the chairman's mark already increased a promised \$30 million by an additional \$10 million. The gentleman from Oklahoma (Mr. ISTOOK) wants to go from this \$40 million program, a 100 percent increase over last year, to \$73 million. Not only would this increase eclipse that of any other program in the bill, the gentleman from Oklahoma (Mr. ISTOOK) offsets the cost of this excessive increase by cutting funds for the CDC, the Child Care Development Block grant. His cuts in CDC would force the CDC to make reductions in these areas: infectious diseases, chronic diseases, STDs, breast and cervical cancer. Which should we choose?

□ 1800

I will repeat it again, it means cuts in infectious diseases, chronic diseases, STDs, breast and cervical cancer. This is outrageous and irresponsible.

Equally disturbing, the gentleman from Oklahoma (Mr. ISTOOK) proposes to cut the child care development block grant. These funds are desperately needed to ensure that children receive quality child care, especially low-income families.

I want to make this clear to my colleagues: I know how important this program is to the gentleman from Oklahoma (Mr. ISTOOK). In fact, despite my strong reservations about the effectiveness of teaching abstinence only until marriage, I have worked with my colleague, I have worked with the gentleman from Oklahoma (Mr. ISTOOK) in designing these community-based grants, because I believe abstinence is an important message for our youth. We have worked together.

However, with the tremendous needs, Mr. Chairman, as a result of September 11, and I feel so privileged to serve on a committee that can meet these needs, and we cannot even find enough money for CDC. I know my good chairman, the gentleman from Ohio (Mr. REGULA), would like to do more. So now is not the time, in my judgment, to allocate a three-fold increase, and that means 200 percent, to one health education program.

Even if our Nation was not in the state of emergency, a drastic increase in this program is premature because it has only been in place 1 year. As part of our agreement, and the gentleman from Oklahoma (Mr. ISTOOK) and I had an agreement with the gentleman from Wisconsin (Mr. OBEY) and our former chair, Mr. Porter, to include rigorous evaluation in this program, an evaluation which would include a range of sexuality programs, not just abstinence-only programs, has not even begun.

Finally, our funding needs for CDC bioterrorism, the public health emergency fund, worker training, unemployment insurance, mental health counseling, to name just a few, are just enormous. They are great. While we each continue our interest and advocacy for particular programs, seeking an increase of this magnitude I feel is inappropriate at this time. So let us give this program some time before providing an even larger funding increase, especially considering our budgetary restraints.

I want to thank the Members again. I hope my colleagues will vote no on this Istook amendment, and I want to appreciate the good work of our Chair, the gentleman from Ohio (Chairman REGULA), for bringing us together working on a bipartisan agreement.

I really feel that it is unfortunate that one of our members of the subcommittee chooses to violate the agreement and ask for a 200 percent, 200 percent increase in this program, which has not been evaluated. It will not be evaluated until 2005.

I would be delighted to work with my colleague to make sure that we continue to look at this program very carefully.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to be associated with the comments and remarks of my colleague, the gentlewoman from New York (Mrs. LOWEY), and really every Member that has risen in opposition to the Istook amendment.

Mr. Chairman, since the September 11 attacks, the objectives of our Nation have changed dramatically. We are focused on combatting terrorism, enhancing intelligence, and upgrading our public health system. Each of these efforts costs money and deserves additional funding.

The Istook amendment would give \$33 million, a three-fold increase, to a narrowly-focused program that puts teens at risk and is rooted in wishful thinking. Abstinence-only education works only when it is combined with comprehensive sexuality education. Evidence shows that comprehensive sexuality education helps delay sexual relations among young people, and increases contraceptive use among those who become sexually active.

Telling independent-minded teenagers what not to do and depriving them of information they might use to decide is a recipe for unplanned pregnancies and sexually-transmitted diseases.

Ninety-three percent of Americans support teaching sexuality education. We should follow the numbers and reject the Istook amendment.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I think it is very important that we give credit where credit is due. The gentleman from Wisconsin (Mr. OBEY) and the gentlewoman from New York (Mrs. LOWEY) earlier mentioned that they have helped get this program off the ground. Despite this opposition to this amendment, they deserve credit for that. I want to acknowledge that publicly.

However, as the gentleman from Wisconsin said when someone else was speaking earlier, I would rather have their support than their praise. I would like to have the gentlewoman's support now, not just her praise for getting the program under way but her support at this time, as well.

I hear people argue, well, we really cannot afford this extra \$33 million. Mr. Chairman, this is in a bill with discretionary spending, not even counting the mandatory, discretionary spending of \$123 billion, \$11 billion more than last year, and \$6.8 billion over the President's request. It has a half-a-dozen accounts in it that are more than \$100 million over the President's request. It has over a dozen accounts in it that are more than \$100 million over last year's amount.

Then we are told, on one of the major problems of our time, with teenage pregnancies and sexually-transmitted diseases, with 3 million young Americans each year getting sexually-transmitted diseases, 3 million teens, we are told with all this money in the bill, it is a good idea, but we really cannot afford it.

Give me a break. It is a question of where our priorities are. Do Members want to fund the things that reinforce America's values? Do Members want to fund the things that are having the

first success in three decades in combatting teenagers who are involved sexually, get disease, get pregnant, drop out of school, turn to alcohol, turn to drugs, do not get their education, cannot support themselves, go on public assistance, raise kids in that environment? Is that what we want?

Mr. Chairman, if we had more of these abstinence education programs, we would not need all the other billions of dollars in this bill. Yet, I hear people say, it is a good idea, but we really cannot afford it, despite all the other billions of dollars in the bill. The real question is getting our priorities straight.

We had \$2 billion that was added to this piece of legislation in the last week. Of course we can afford this.

The President's support? This is the letter dated September 24 from his office, the Executive Office of the President, Office of Management and Budget: "The President remains strongly committed to funding parity between abstinence education and teen contraception. With this in mind, the administration would support efforts in Congress to increase funding to \$73 million for abstinence education activities under the administration's title V special programs of regional and national significance within the Health and Human Services Department."

That is what this amendment does. The President has talked to us about getting parity. That is what this amendment is about. In a bill with all these billions of dollars, we do not have \$33 million to put into this high priority; \$33 million that prevents disease, that prevents children being raised in poverty?

I heard someone say, well, we have not done enough evaluations on these abstinence education programs. These family planning programs, title X programs, we have had since 1971, for 30 years; they have never been evaluated. We spend over \$200 million a year on them. We have not evaluated them. But we are told that is a reason for not promoting abstinence education, when teen pregnancy rates have only started coming down once these programs got under way.

It is time we put more support into them. I would like to have the support, not just the verbal support but the support in votes, of people that have indeed helped to get this program under way. It needs a little bit of nurture and nourishment right now. The demand is huge in the United States. They are overwhelmed with applicants for these grants. They cannot fill that demand.

Let us save some kids. Let us help people not get into this cycle of disease and poverty. Let us support this amendment. I move its adoption, Mr. Chairman.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by

the gentleman from Oklahoma (Mr. ISTOOK) and any amendments thereto be limited to 40 minutes, to be equally divided and controlled by the proponent and myself, the opponent. We could have less.

Mr. OBEY. Mr. Chairman, reserving the right to object, I would simply ask if we could get an idea how many Members actually have a burning desire to speak on this. Then we might be able to shrink it to less than that, which I think everybody would appreciate.

Mr. REGULA. We have no further speakers on this side.

Mr. OBEY. There are three on this side. Would it be acceptable to have 3 minutes apiece?

Mr. REGULA. Mr. Chairman, strike my original unanimous consent request.

I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Oklahoma (Mr. ISTOOK) and any amendments thereto be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. REGULA. Mr. Chairman, I yield my 10 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Ms. ESHOO), who has worked a long, long time on one of the issues involved in this amendment.

Ms. ESHOO. Mr. Chairman, I thank the distinguished ranking member and the distinguished chairman of the committee for their work and for the bipartisan bill that they have brought forward. Mr. Chairman, this is never an easy bill for a ranking member and a chairman to work out, so I salute them, and I recognize the work that has gone into this.

But I rise in opposition to the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK). Let me tell the Members why. The amendment cuts the Centers for Disease Control. It is the account, not an account but the account that funds the CDC's disease detectives who are right now looking for anthrax in Florida.

It speaks to the dollars that are spent for controlling infectious diseases: tuberculosis control, research into birth defects and childhood disabilities, and asthma treatment and prevention.

Mr. Chairman, I want to zero in on another area of this budget, and what this amendment would essentially cut and really hurt, and really hurt. That is the issue of breast and cervical cancer screening.

In the last Congress, if there was one thing that I worked harder on than anything else with my Democratic and

Republican colleagues, it was to come up with a bill that would take care of those women that are underinsured or not insured at all, because when the CDC screened for breast and cervical cancer, that was one part of it, but the part that the Congress had never finished, had never done, was the next chapter. That was that once there was detection, that we would help them.

We cannot afford to have that effort go down the drain. Mr. Bliley was the chairman of the committee. There were over 300 cosponsors to that bill. It was a great bipartisan effort. Everyone embraced it. They understood that we could in fact take the next step and make a difference for women and their families in this country. I think it is one of the great accomplishments of the last Congress.

This amendment hurts that. It does not have to be the case. The gentleman's amendment is not bragging about how much the 100 percent increase over last year is already taken care of in the bipartisan bill, going from \$20 million to \$40 million.

Maybe that is not my top priority, what the gentleman is doing, but I salute him for what he cares about. But do not do this at the cost of the anthrax cases that we need to look into, breast and cervical cancer screening, and the care of women that absolutely need it and depend upon it.

There is tuberculosis control. These are all things that the American people rise up and say, good job, Congress.

Vote against the amendment. It hurts. It is not necessary, and it is wrong.

□ 1815

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

I simply want to point out, Mr. Chairman, that the account that is the offset of this is an account that has received an increase of \$1.1 billion. It has received an increase in excess of the President's request. We are not sacrificing anything of value to make sure that we provide for abstinence education and fund it accordingly.

Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of this amendment and wish to commend my colleague, the gentleman from Oklahoma (Mr. ISTOOK), for his constant support on this issue. This amendment does not seek to address the constitutionality or morality questions inherent in the abstinence education debate. Rather, this amendment seeks to promote the health and safety of our children.

Each year, three million teens contract sexually transmitted diseases; and nearly one million become pregnant. These statistics, Mr. Chairman, are simply appalling. However, as appalling as these statistics are, we must



note that these rates have declined in recent years. According to the Centers for Disease Control and Prevention, abstinence programs have played a role in the decline in teenage birth rates, which have dropped by 22 percent since 1991. As the CDC states, "Many initiatives have focused on the prevention of pregnancy through abstinence and many teenagers have heard this message."

Currently, the Federal Government spends more than \$5 billion per year on HIV/AIDS, STD, and unintended pregnancy prevention combined.

Most of these dollars go towards the provision of services such as screening, pregnancy tests, free contraceptives and condoms and referrals. About \$15 million goes towards promoting "safe sex" messages and education.

Federally funded abstinence education programs receive only about \$80 million per year, practically all of it promoting the fact that sexual abstinence is the only method to be completely safe for preventing unwanted pregnancies and diseases.

The need to support abstinence education is significant. More than 700 State and community-based abstinence education programs are funded through title V. Much of this money is provided to volunteer organizations that have annual budgets of less than \$20,000. A small grant of \$2,500 or \$5,000 means they can purchase some curriculum, some videotapes, maybe a combination VCR/TV, and devote instructors to serve and educate kids about how sex can wait and that many of the consequences of early sexual activity are incurable and deadly.

Mr. Chairman, Federal abstinence education funding is making a difference in my home State of Indiana. For example, the Peers Educating Peers, or PEP program educates adolescents about sexual health in nearly 20 Indiana counties serving more than 10,000 adolescents per year. PEP uses high school role models to educate junior high school age students about refusal skills, open communication, and responsible decision-making.

PEP has demonstrated its effectiveness as teen birth rates have dropped an average of 43 percent in the five counties where the program has been operating the longest.

Because of a SPRANS, or Special Projects of Regional and National Significance grant, the PEP program will expand their successful program to Evansville in my congressional district where the teen birth rate is 40 births per thousand, the second highest birth rate in Indiana.

This amendment, which would increase funding for abstinence education, makes both common sense and public health sense. It makes common sense because abstinence education works, and I have already highlighted the success of programs like PEP in Indiana.

It makes public health sense because Federal abstinence education funding goes towards prevention of sexual activity, just like public health messages like "wash your hands," "do not smoke," or "do not drink and drive" prevents communicable diseases, long-term disease, accidents and death.

Finally, it puts the money where it is needed. The CDC reports that about half of our children are sexually abstinent and about half of our children have become sexually active. If those are the proportions, according to CDC, then let Federal support reflect those proportions.

This amendment to increase abstinence funding is a good first step to achieve a fair distribution of resources based on the needs of young people.

As President Bush has stated, "For children to realize their dreams, they must learn the value of abstinence. We must send them the message that of the many decisions they will make in their lives, choosing to avoid early sex is one of the most important. We must stress that abstinence is not just about saying no to sex; it is about saying yes to a happier, healthier future."

I urge my colleagues to support the proposed amendment and provide increased funding for abstinence education.

Mr. OBEY. Mr. Chairman, I yield 2 minutes and 45 seconds to the distinguished gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, this is, I am sure, a sincere amendment; but it probably sets a record for ill timing. Because on the day where I just walked out of the cloak room and I saw CNN running a headline that the FBI is warning that we should be on the highest alert for terrorist attacks, on a day when the country is extremely concerned about our ability to deal with bioterrorism, we have a Member amendment on the floor of the House to cut money out of the CDC people whose job it is to find out if there is dangerous bacteria in our environment.

I cannot imagine a worse timed amendment, but I think there is a bigger problem with what we are considering on the floor of the House than just that. The fact of the matter is our House is on fire, and we are dealing with all these ideological issues. We should be dealing with the security of the United States of America now that we are 30 days past this tragedy.

Let me tell my colleagues why that is of concern. When my colleagues and I get on a plane next Friday or tomorrow to go back to our districts, did my colleagues know that almost all of the bags that go into the belly of the airplane we get on will not be screened for explosive devices? Over 90 percent of the bags that are going to be in the luggage compartment of the plane we get on on Friday will not have been screened for bombs.

Now, what are we doing about that problem today? Nothing, not a single thing for a month after this terrorist attack. We have not done a dang thing on this issue.

What have we done? We gave \$15 billion to the airlines. Have we done anything to require employees to walk through magnetometers so they cannot carry bombs on to airplanes. We have not done anything.

The fact of the matter is these ideological concerns are trumping the security interest of the United States. We have got a bill to deal with airline security so that the people who guard the magnetometers will have some modicum of training, will get maybe a little more than minimum wage.

Many people think they ought to be Federal employees. I think they ought to be Federal employees like FBI, like Marshals, like fire department. But these ideological concerns are keeping even a vote on the floor of this House to do anything like that. I just hope that, number one, this amendment will fail; and I hope that the leadership of this House will bring to the floor of the House in quick order, starting at about noon tomorrow, some security bills so this House can vote on them because that ought to be the order of the day.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, this amendment does not take money out of the accounts for bioterrorism. I rise in support of the Istook amendment because I believe we should honor the President's pledge to increase funding for abstinence education to a level equal for funding for title X abortion counseling programs.

Mr. Chairman, over the past few decades, we have been subjected to the propaganda of the safe sex and the abortion lobbies. They would have us believe that more contraceptives are the answer to the problems of sexually transmitted disease and teen pregnancy despite evidence to the contrary. We need to start teaching our young people the truth. Sex outside of marriage is risky business, and it has physical and emotional consequences. There is no substitute for abstinence when it comes to avoiding problems associated with premarital sex.

We need to stop lying to our Nation's youth and stop assuming that promiscuity is an inherent part of adolescent life. Instead, through absence education, programs which have proven to be successful, we need to promote their health and safety. We need to encourage them to exercise self-control. We need to teach them about the benefits of saving sex until marriage. If we believe that children can exercise self-control to avoid smoking, what about premarital sex?

Our Nation's children deserve more than free contraception and abortion

counseling. Our Nation's children deserve our love and our commitment that we will help them seek the best future for themselves, a future that is free of the emotional and the physical pitfalls that accompany premarital sex.

Mr. Chairman, I urge my colleagues to support the Istook amendment to increase the funding for abstinence programs.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. TIERNEY)

Mr. TIERNEY. Mr. Chairman, I thank the ranking member for yielding me time.

Mr. Chairman, I want to say to my colleague who is presenting this motion that, in fact, he has already done well what he purports to represent. He has increased the amount of his package well over what it was last year. The base bill does that, and he can feel that he has had an accomplishment there. But when we talk about priorities, and I understand that is a priority of his, and as I said he has addressed it, America's priority right now is security.

If you walk down any street, any main street in my district or anyone else's district, people are talking about security. They want to make sure that they are safe in their homes, safe in their neighborhoods, their children are safe in their schools, that our water is safe, that our transportation is safe.

They are also talking about security of their income. Thousands and thousands of people have lost their employment as a result of what went on September 11; and those are issues which should, in fact, be a priority of this country.

We have done nothing about them since September 11. We had an opportunity when we bailed out the airline industry, excessively in my opinion, when they could only identify \$2 billion worth of losses occasioned by the activities of September 11, but got \$5 billion. We had an opportunity then to do something for people that became unemployed, to make sure they had health care for their families, to make sure they had an adequate income so they could sustain themselves and their families and their communities. We had an opportunity then to do something about security on our airlines, in particular, as well as other places.

The CDC does need money so it can make sure we are safe from anthrax and other problems like that. We need to know that the pilots are secure in their cockpit and that our luggage is getting checked. We need to know our water is safe and that we are being protected. These are going to be costly matters.

When you talk about the American people's priorities, rather than be de-

bating on what we have been debating here, excessively over this bill's base amounts, we would better spend our time addressing what people want, a job or employment security or income security, a way to know they will have health care coverage for their family in a time of need, and a way to know that when they travel they will be safe.

Mr. Chairman, I suggest that that is what this Congress should have been doing over the past several weeks. It is a disgrace that we have not been doing it. We should get on to that business now. That is America's priority.

Mr. ISTOOK. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) has 3½ minutes remaining. The gentleman from Wisconsin (Mr. OBEY) has 2 minutes remaining.

Mr. ISTOOK. Mr. Chairman, does the gentleman from Wisconsin have the right to close?

The CHAIRMAN. That is correct.

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are here because we need to be here, because we are trying to take care of the things that we are responsible to take care of, not only the security of the United States of America but the welfare of its people. That is why we have this bill on the floor. Yes, we could spend all of our time talking about foreign affairs; but if we did, we would not be trying to have normalcy. And, yes, it is normal that we get on the floor of this House, we have debates, we have disagreements, and we have bills such as the annual appropriation bill for the Departments of Labor, Health and Human Services and Education.

If we did not have that, then things such as the Centers for Disease Control and public health programs would not have their funding and where would the welfare of the Nation be?

Right now the congressional authorizations for these measures expires unless we take action such as passing this bill. So of course we should be here. We should be talking about the issues that are timeless and timely, and this is among them.

We have, Mr. Chairman, according to the Centers for Disease Control that is charged with, among other things, trying to stop the sexually transmitted diseases which this amendment addresses. According to CDC and the Institute of Medicine, 12 million new cases are reported each year of sexually transmitted diseases, one-fourth of them among teenagers.

□ 1830

It is 89 percent of all reported diseases that constitute the top 10 in the whole U.S. of all diseases. Twenty-nine percent of those were infected with chlamydia, which causes sterility. Young women often do not find out

until they reach their childbearing years they are not able to have kids now because they got involved in teenage sex, they got chlamydia, now they cannot have kids. Twenty-two percent had herpes, 32 percent had HPV, human papilloma virus, which causes 80 percent of all genital cancers.

The Institute of Medicine concluded public awareness and knowledge regarding STDs is dangerously low. It is unfocused. The disproportionate impact on young people has not been measured.

That is what we are trying to get at, Mr. Chairman. We are trying to make sure that kids get the message that "safe sex" does not stop these sexually transmitted diseases. They happen with or without use of contraceptives, with or without use of condoms or other devices trying to prevent pregnancy. The only sure message is to say, "wait until you are married."

That is what abstinence education is about. It is the best course; it is the safest course. And this Congress needs to get on course, not giving it just minor funding within a huge bill, with huge increases in so many other programs, with more than twice as much being spent to promote these safe sex programs, as they are called, as to promote abstinence.

Let us bring some equality into this. This amendment is what the Bush administration says is what we need to bring parity. I think they may have underestimated it. I think we probably need about \$15 million more for parity, but I am not arguing that point, Mr. Chairman. I am arguing equal treatment, a level playing field, so that there is some reinforcement from Washington, D.C. and from groups that we help to fund to get the message out and reinforce what we teach our kids at school: wait until marriage.

It is the best course and the safest course. I move adoption of the amendment.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Mr. Chairman, I thank the gentleman for yielding me this time, and I appreciate the opportunity to speak against the Istook amendment.

Mr. Chairman, it is clear that the off-sets to this amendment will hurt our counterterrorism effort, something most of us, all of us, feel passionately about. It is also unfortunate that an issue on which everyone agrees, the need to prevent teen pregnancy, is presented in this amendment in an ideological form that splits us and hurts achieving the goal.

As a mother of two daughters and two sons, I know that abstinence-only education does not work. What does work? One, basic accurate information on the risks of teen pregnancy; two, education on types of and proper use of



contraception; and, three, the message that abstinence is the only 100 percent effective way to prevent teen pregnancy.

Preventing teen pregnancy still matters, even in the post-September 11 world, but this amendment is the wrong solution. Vote "no."

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have had some 14 amendments on this side of the aisle that we have discouraged from offering today. I do not believe we have offered a single one from this side of the aisle. I would urge that we have the same response from all quarters of the House.

When, in fact, we measure accurately the amount of money in title I which is aimed at teenagers, the resulting numbers will demonstrate that we spend at least as much on abstinence directed to teenagers as we provide in direct family planning services of the traditional variety aimed at teenagers. The gentleman has already achieved parity, and this bill gives him twice as large an increase in the programs he is for as we have in the other traditional family planning programs.

Mr. Chairman, I urge a "no" vote on the amendment. Let us keep this bill together and get out of here at a reasonable time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ISTOOK. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK) will be postponed.

The point of no quorum is considered withdrawn.

Are there further amendments?

AMENDMENT OFFERED BY MR. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ISTOOK:

At the end of the bill (before the short title, insert the following:)

SEC. (a) None of the funds made available in this Act may be used to implement, administer, or enforce Executive Order 13166.

(b) The limitation established in subsection (a) shall not apply to an agency that is subject to Executive Order 12866 after it has complied with the requirements of such Executive Order, which has been issued pursuant to law.

Mr. ISTOOK. Mr. Chairman, I might mention that I am certainly amenable to any unanimous consent request to limit total debate time on this measure.

Mr. Chairman, this amendment states that until the Office of Management and Budget issues a cost-benefit

analysis of a series of Federal regulations, those regulations are to be held in abeyance. They are what is commonly called "limited English proficiency" regulations.

What is all this about? It is about an executive order that was issued last August and regulations that were issued pursuant to it mandating that not only Federal agencies but also State and local agencies, businesses, nonprofit groups, anybody who has received any funds to administer or handle or be involved with a Federal program must make all vital documents, it says, available in multiple translations; basically into any language group involving 3,000 people or more.

Mr. Chairman, there are over 200 language groups in the United States involving 3,000 people or more. If we are required to translate everything into each one of these languages, the average cost for billions of pages is \$40 a page per language. Multiply \$40 per page by over 200 languages, by billions of documents, and my colleagues can begin to see the nature of this problem, the huge unfunded mandate that this puts on businesses and on local governments. In fact, nine or 10 States officially have petitioned for these not to go into effect because of the unfunded mandate.

After all, Mr. Chairman, there are some large language groups; and we have plenty of efforts to try to accommodate them. This amendment does not restrict anyone from trying to accommodate a language group or to make something available in another language. It simply removes the Federal mandate that we have to do so in this unlimited number of languages. It lets common sense prevail instead. It follows what the U.S. Supreme Court ruled just April of this year is the law of the land: there is no right to force somebody to translate civil documents or civil activities for you.

Now, if an individual is charged in a court proceeding, yes, they will make sure they have a translation as a defendant. But we are not talking about that. There is no right, constitutional or statutory. Yet, usurping the powers of this Congress, of this body, this executive order and the regulations issued under it are putting that burden on people all over the country.

Imagine being called up for a violation of Federal law because you did not provide a translation, for example, into western Farsi, with a million people in the United States speaking it; or because you did not provide a translation into Kabuverdianu, that has hundreds of thousands of people that speak it. My colleagues can pick whatever language they want, I am not going to pick on any of them, but with over 200 languages, to be told, well, if there are more than 3,000 people affected, you have to translate all vital documents, anything that this person might need,

any documents made generally available to the public.

Mr. Chairman, we have thousands of informational brochures, bits of information, guidance that go to people constantly. How much are we going to pay for this? We ought to wait until we have the cost-benefit analysis from the Office of Management and Budget. That is their job. They ought to be doing it. We should not go into this thing blind.

I realize there will be some people, Mr. Chairman, who talk about constituents they have that are not proficient in English. I understand that. But that does not mean that we go out and put this mandate out there to try to solve the problem.

The American Medical Association has said these will cause doctors to stop seeing Medicare patients and Medicaid patients because they cannot afford the cost of paying for a translator. The regulations even say it is not good enough if they have a family member come with them to the doctor to do a translation. Oh no, that is not permissible. The doctor has to go out and hire a translator at hundreds of dollars an hour that costs more than he is reimbursed, usually something about \$30 or \$40, more than he is reimbursed for seeing the patient in the first place. That is why the AMA, as well as so many States, wants us to pull back on this.

Let us make a common-sense test. Let us apply the law under an earlier executive order that says OMB is going to do cost-benefit analyses when we have legislation that is this far-reaching.

I move the adoption of the amendment, Mr. Chairman.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Oklahoma (Mr. ISTOOK), and any amendments thereto, be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

Mr. OBEY. Mr. Chairman, reserving the right to object, could I ask that the gentleman amend that to 12 minutes per side?

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I will agree to 24 minutes.

Mr. OBEY. Mr. Chairman, I withdraw my reservation of objection.

Mr. REGULA. Mr. Chairman, I ask unanimous consent to withdraw my original request and to amend it so that further debate on the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK), and any amendments thereto, be limited to 24 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Ohio (Mr. REGULA) each will control 12 minutes.

The Chair recognizes the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I yield 12 minutes to the gentleman from Wisconsin.

The CHAIRMAN. Without objection, the gentleman from Wisconsin (Mr. OBEY) will control the time.

There was no objection.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time; and once again I want to take the opportunity to commend our new chairman, the gentleman from Ohio (Mr. REGULA), for his first Labor-HHS bill on the floor; the ranking member of this subcommittee and the full committee, the gentleman from Wisconsin (Mr. OBEY); and the chairman of the full committee, the gentleman from Florida (Mr. YOUNG), for their great leadership in crafting this legislation and bringing it to the floor.

I rise in defense of the committee position and in opposition to the Istook amendment. Mr. Chairman, this guidance which is contained in the bill does not create any new requirements or place any new mandates on recipients of Federal funds. It simply clarifies the Department's long-standing policy so that recipients have clear, concise, and constructive information about their responsibilities under title IV.

This information helps grantees be sure that they are in compliance with the law, as it has been in effect for over 30 years. This guidance is intended to be flexible and recognizes that there are no one-size-fits-all solutions. The guidance on limited English proficiency also clarifies that recipients only have to undertake reasonable steps to ensure meaningful access and that recipients are not required to take steps that would incur unreasonable costs or burdens.

□ 1845

This amendment ignores the positive impacts of limited English proficiency. They ignore the Department of Justice's reasonable direction. Many limited-English proficiency persons work in some of the lowest paid jobs, are more subject to abusive employment situations, and need more help with complicated government bureaucracies.

For example, a Cambodian refugee worked as a landscaper to support his family of five children. After he was laid off, he made repeated attempts to file an unemployment claim. He could not communicate with his State agency, and often received contradictory information. For most of the winter, he

was without income and unemployment insurance compensation.

The costs of providing assistance to persons who have limited English speaking abilities does not have to be expensive. In California, the limited-English speaking population is estimated to be over 3 million people. Since 1973, we have had a State law with more specific interpretation of translation requirements than title IV, which this guidance addresses; and this law has not created a burdensome financial strain on the State of California's Department of Social Services. That department spends a total of \$648,312 to staff an internal team of 13 employees to translate documents into Spanish, Chinese, Cambodian, Russian and Vietnamese; and not that much more in outside contracts for vendors for translation into other languages.

This is a very small cost for an \$18 billion social service budget. This guidance simply fulfills the goal that Secretary Chao expressed in her welcoming ceremony remarks, making sure that no worker gets left behind.

Mr. Chairman, I urge my colleagues to vote "no" on the Istook amendment and defend the committee's position.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I reluctantly rise in opposition to this amendment. The committee understands the concerns raised by the amendment, but now is not the time to proceed with this amendment. I understand that this executive order is under review by the administration.

Furthermore, the committee report accompanying the bill recommends that both Secretary Chao at the Department of Labor and Secretary Thompson at the Department of Health and Human Services, quote, "carefully review the guidance and revisit its implications, impacts and consequences both practically and fiscally."

I think we should give the administration time to address this in the regular order and not adopt the amendment of the gentleman to shut off funds. I might add that the administration will be able to address it with a subsequent executive order once they have had time to review it. I think out of courtesy we owe the administration time to review the implications of this order. Therefore, I think the amendment would be premature and should be rejected.

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, with all due respect to the gentleman from Ohio (Mr. REGULA), this amendment does give them time. It just says until they do their job, the rest of the country should not be put under this incredible burden.

Right now there are groups that are being pursued by HHS, pursued by Federal agencies for supposed noncompli-

ance with these regulations. We ought to say you do not go after agencies pursuing these regulations until we do that cost-benefit analysis. That is exactly what the amendment does.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, Executive Order 13-166 issued by President Clinton is unwise, illegal and unconstitutional; and I urge the Bush administration to rescind it forthwith. We would be doing them a favor to avoid all of their complex review by simply adopting the Istook amendment.

We cannot possibly impose on counties and cities and local jurisdictions, States, and indeed on the Federal agencies the policy inherent in this executive order which on its face is unreasonable. There are 6,800 languages in the world today, many of these present in the United States. Even the U.N. only has six official languages; and here in the absence of congressional action, we already have the Federal agencies setting forth the requirements of this executive order and beginning to implement them.

For example, regulations applying Executive Order 13-166 have already been issued by the Department of Health and Human Services, the Department of Transportation, the Department of the Treasury, the Department of Justice, the Department of Labor, the Corporation for National Community Service, General Services Administration, Consumer Products Safety Commission, the National Aeronautics and Space Administration, the National Council on Disability, the National Science Foundation, and the Pension Benefit Guaranty Corporation.

Mr. Chairman, we need to bring this to a halt now. We can do something reasonable. In the absence of this executive order, something reasonable is already set in place. But requiring all of our States and localities to struggle to spend money they do not have, to produce materials in any language any person requests up to I suppose 6,800 languages, is unreasonable and outrageous on its face.

The gentleman from Oklahoma (Mr. ISTOOK) is to be commended for this amendment. We should have done this long ago, but I guess this is our first opportunity since it has come up on this appropriations bill. I urge Members to support his amendment.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, I rise in opposition to this amendment. The first thought that comes to my mind, are we debating the same executive order? I have heard allegations and assertions made from the other side that truly are misrepresentative.

What we are talking about with this executive order, and the whole basis of



the executive order was accountability and responsibility of those who are providing services and receiving Federal dollars in providing those services to make sure that they effectively deliver those services. This is what it is all about.

The other thing, the other matter that really stands out is where have we been. The census tells us much of what is going on in this country. While individuals are perfecting their ability to speak English, while we have these clustered groups of individuals from different countries, they still require services in a language that they would understand for their benefit. That is why we are providing it.

Mr. Chairman, prior to this amendment we were arguing abstinence and how we teach it, how we promote it. If my colleagues had their way, they would basically be espousing abstinence in a language never understood by the individual that Members seek to assist. This is what is so crazy about this whole debate.

There are other matters I think which have been misrepresented. The Sandoval case does not stand for the proposition that Americans do not have a legal right to have everything in a particular language. It simply states an individual citizen does not have a right to bring a cause of action, but that the Federal Government does.

The gentleman from Texas (Mr. RODRIGUEZ) and I met with the members and representatives of the American Medical Association who had certain concerns. Once we discussed it and they understood the intent of the executive order, it was something that was acceptable. It was something that was doable.

We are making it impossible by scaring individuals out there that they will never be able to comply with the intent of this executive order. That is an unfair characterization.

The executive order and the implementing guidance that follow it stress the importance of complying with title VI of the Civil Rights Act without unduly burdening the fundamental mission of the agency. That is the standard. This goes contrary to the whole motive behind it. Do not stand in the way now with misrepresentations. Face the facts. Face the reality of our society, and let us deliver those services in a meaningful way.

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me first mention, the gentleman from Texas (Mr. GONZALEZ) may or may not have read the executive order and all of the regulations that have been issued pursuant to it from a number of agencies. I have read them, and they get frightening in their impact.

Rather than being a reasonable effort to try to communicate with people that may be receiving Federal services,

it puts an affirmative burden on groups that participate in a Federal program, such as the police department or county health center, whatever it may be. It puts an affirmative burden on them to take all documents that they make available to the public, as well as everything that may relate to an individual, and translate it into what becomes an unlimited number of languages. That is where the unlimited expense comes from.

Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, Executive Order 13-166 is essentially another attempt to construct an even higher level of the Tower of Babel. Not only is that executive order an unfunded mandate, it is incredibly wrong-headed.

To encourage non-English speakers to stay outside the mainstream of America and thereby indirectly condemn them to a life of impoverishment is essentially despicable. As the population of non-English speakers increases, so too will the pressure to divide this Nation along language lines. It will also contribute to the increased balkanization of the Nation. We do none of these folks a favor by encouraging their exclusion from the majority society.

Mr. Chairman, I urge support of the Istook amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute 55 seconds to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Chairman, contrary to what is being said, if what the gentleman was saying is accurate, I will be there for the gentleman.

When the gentleman from Texas (Mr. GONZALEZ) and I met with the medical association, we discovered what they were being told was not practical and it was not correct.

We are not saying that we ought to consider those 200 languages. That is not practicable. We are not saying if there is one person who is Spanish speaking they ought to be responsive to them. That is not what the law says. If Members look at the law, it is very specific. The law says specifically that the size of the limited English proficient population that is served needs to be considered. So allow the administration that opportunity.

Secondly, it says the frequency of the visits in terms of the hospitals. Most important, it also talks about the severity. If the person has tuberculosis, cancer, and it is serious, there has to be a real need to make sure that that person understands if it is a life-or-death situation, so depending on the severity of the case and the numbers of the population.

Mr. Chairman, I will again tell the gentleman that I will be with him if they start forcing agencies to do it in the number of languages that the gen-

tleman says. That is not the intent. In addition, this is not new. It is the 1964 civil rights legislation. What this does is allows the Government, in this case the administration, an opportunity to establish the guidelines that allow them to put it into effect. It is nothing to get all bent out of shape over and to raise all of those contrary items because that is not the case. If it is, I promise the gentleman that I will be there for him in ensuring that the administration does not do that.

In addition, let me state that it is going to be very important that as we look at this, that we also consider the seriousness of the situation. I had a case of a person who was told in English that they were positive for AIDS, and that person understood positive as everything being okay.

□ 1900

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

I would like the gentleman to be aware that the guidelines issued by the Department of Justice on the same day as this executive order, and the executive order expressly incorporated the DOJ guidelines, I quote from the DOJ's document they titled Commonly Asked Questions and Answers Regarding Executive Order 13166:

"Programs that serve a few, or even one LEP person are still subject to the title VI obligation."

If there is even one person that speaks some language other than English and wants things translated, the Department of Justice says that one person is enough to invoke this requirement. That is not common sense. That is not meeting a major public demand. That is going way overboard, when they require this multitude, these millions if not billions, of pages to be translated into an unlimited number of languages.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 1 minute and 55 seconds to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. I thank the gentleman for yielding me this time.

Mr. Chairman, this issue has been posed as one where we are going to subject the Federal Government and State and local governments and everyone else to a multitude of languages. I think we heard the number 6,800, all the remaining languages in the world that have speakers represented in this country.

I speak one of those very small languages. I think we number about 100,000 in the entire world, and about 50,000 inside the continental United States and I can assure everyone that under these guidelines, I have no ability to force anybody to produce documents in the Chamorro language. This is simply about access and the protection of civil rights. This is what this is all about.

We have lots of limited English proficient people in this country. Instead of spending our time trying to deny them access to health care, instead of putting forth more barriers to their exercise of their civil rights, we ought to be contemplating how to facilitate that while they are learning English, while they acquire the kind of English that is necessary to survive in this society. This is not about a right to use a certain language. This is about a time-honored, court-tested provision emanating from the 1964 Civil Rights Act which says that when national origin and the language that you use, if that can be used as a way to impede your access to the resources of this country, then the government is required to take a look at those processes in order to allow you that access. This is what this is about. It is about access.

Mr. ISTOOK. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, it has taken a lot of time to review that executive order and these regulations. I would submit, Mr. Chairman, that were this actually something that had been part of the civil rights acts adopted in the 1960s, it would not have taken until August of 2000 for someone to notice and start saying, now we have this new requirement. Because that is what happened, August 8 of 2000, when former President Clinton issued the executive order, had the guidelines of the Justice Department that were issued the same day incorporated into them, and set in motion a whole series of midnight actions. Most of the Federal agencies that adopted these did so on January 17, just before Inauguration Day. That is an inherited problem for the current administration and one they still have not come to grips with.

This simply says, do not put your multibillion-dollar unfunded mandate burden on the rest of the country until you get the cost-benefit study done on this. That is what you are supposed to do on major new initiatives and that is what this was, a major new initiative.

Mr. OBEY. Mr. Chairman, I yield 55 seconds to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, what I have is going to take a little bit more than the time allotted. It is interesting in this country, in America, we talk about diversity and understanding. We also talk about inclusion rather than exclusion. This amendment is exclusionary. What the executive order does from 1964, as the gentleman had explained, was that this is fine-tuning, and people need direction.

As an administrator myself, when I take a law, an administrative regulation, the right to be able to extend it even further is our prerogative. That is probably what that department did when you read that memo. That is all about service. That is about client service. We in this office, we in our

jobs, we understand client service and we want to extend ourselves the best that we can.

The real point of this in terms of language is comprehension. If you do not have comprehension, you are not going to be able to take medicine properly. You are not going to be able to understand things properly. As an educator, comprehensive input is key.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Mr. Chairman, I rise in support of this amendment for two reasons. First of all, in a former life, I was a small businessperson who did contract work with the Federal Government. The imposition of this on small business would just be devastating.

Secondly, and this is probably the best reason to support this amendment. English is the language of commerce in our country. To encourage people to not learn English does a great disservice to them. That is exactly what this executive order does. It tells people, "You don't have to learn English, because we'll communicate with you in your language." That just is not fair to them. If they are not conversant in English, they are not using the language which is the language of commerce in this country. As is so often the case when we try to help people, we really hurt them. What this does to those who are not fluent in English is really hurt them because we discourage them from learning English.

This is a very good amendment and it is especially good for those for whom English is not their primary language because they need to be encouraged to learn English, not discouraged from learning English because it is the language of commerce in this country. And the sooner they learn it, the better they will do in this country. It is unfair of us to discourage them from learning it.

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) has 2½ minutes remaining. The gentleman from Wisconsin (Mr. OBEY) has 1¾ minutes remaining and the right to close.

Mr. ISTOOK. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, when these regulations were issued, when the executive order was issued and then regulations were issued by Federal agencies, we heard from a number of States, Michigan, that asked, quote, the policy should be held in abeyance until, at the very least, a cost-benefit analysis is conducted and adequate additional funding is provided.

New Jersey complained that they would have to be translating things into at least nine different languages and wrote, "It is respectfully requested that the published Department of Labor policy be temporarily suspended pending a cost-benefit analysis."

That is the normal way of proceeding. That is not the way we are proceeding. Right now, people are being placed at risk because they are being told, "You're not complying with this law." At the very time that people are concerned about bringing America together, we are being told that you have to translate what you do into a multitude of other languages as a condition of being involved in any sort of Federal program. That is not right. That is going to cause a huge amount of resentment.

There was a columnist that wrote in the New York Times, just wait until an Hispanic shopkeeper is told they have to translate what they do into Farsi. This hits everyone, Mr. Chairman, no matter what may be your primary language. But it is right that we need to ask people to focus on what brings us together. We spend billions of dollars that are supposed to be helping people to learn English. Are we not going to reinforce that with a policy that says we are not going to put billions of extra upon ourselves to translate things into you rather than helping you to learn English? That is a much better policy.

It is great to be bilingual, trilingual, however many languages you may be able to speak. But let us keep us unified. This is not the time to balkanize America and to say, you have to spend billions of dollars, private money and public money, translating everything you do into a multitude of dozens or scores of different languages.

We need to support the amendment, Mr. Chairman. We need to bring common sense into place. And until common sense is brought into place, until we have a cost-benefit analysis and they amend these proposals, we should not be imposing them upon the country.

I move the adoption of the amendment.

Mr. OBEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Chairman, I rise in strong opposition to the Istook amendment.

Mr. Chairman, I would urge my colleagues to oppose Mr. ISTOOK's amendment to impede the implementation of the Executive order to "Improve Access to Services for Persons with Limited English Proficiency."

The Executive order is about fairness. Individuals with limited English proficiency should not be blocked from accessing vital services paid for by their, and their families', tax dollars.

The Executive order simply gives guidance on how the Federal Government and Federal Government contractors can comply with existing civil rights law that bars discrimination based on national origin.

Until this Executive order was issued, existing civil rights law to protect limited English proficient persons went largely ignored.

The Executive order is reasonable, flexible, and accommodating to small contractors and



government agencies. It recognizes that only critical services, directly affecting health and livelihoods, are required to be translated. Implementing the Executive order makes sense.

Imagine what would happen if someone with weak English skills who has a communicable disease, like small pox or tuberculosis, is unable to understand the advice of health professionals. A public health hazard could ensue, harming many more people.

Mr. Chairman, I hope my colleagues will join me in opposing the Istook amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute and 10 seconds to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, we are all products of our own past, I suppose. I came to this country not understanding a word of English and I am still working on my limited English proficiency. But when I was in the fourth grade, my dentist, Dr. Sadao, my doctor, Dr. Linnertz, would say to me, "David, let me tell you something and then you translate it for your mother. And then your mother can tell you and then you can tell me."

To me, my mother spoke perfectly fine English and so did Dr. Linnertz and so did Dr. Sadao. What we are really talking about are all those people out there who do not have a little fourth-grade David to translate for them. I want to ask the gentleman from Oklahoma who he proposes to leave behind: My mother? Another little old lady from somewhere else in the world?

I would like to read something into the RECORD: "I believe that every right implies a responsibility, every opportunity an obligation, every possession a duty." Those are the words of John D. Rockefeller. I tell children all the time, you have got to learn the king's English. But if you are asking children to learn the king's English, for God sakes you cannot leave their parents behind. You cannot leave their grandparents behind.

I would like the folks on the other side of this argument to say, who are you leaving behind? Who will you cut out of the ability to participate in our self-governing democratic society?

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

There is an executive order which the gentleman from Oklahoma does not like. A Republican President, a Republican White House, is now reviewing that executive order. Let us have the Congress get out of the way and give him time to do it before we jump to conclusions.

As the gentleman has indicated, when you are in a doctor's office and you need help, you do not have time for an English lesson.

Ms. WOOLSEY. Mr. Chairman, I rise in opposition to the Istook amendment.

This abstinence-only amendment is a narrow and unrealistic approach to addressing adolescent sexuality. We're not saying that our young people should not be encouraged to

abstain from sexual activity. We're just saying they also need to be informed about how to protect themselves from unintended pregnancy, HIV/AIDS, and other STDs.

The truth is, comprehensive sexuality education programs expose young adults to important information that they will not learn from an abstinence-only program.

To date, there is no real evidence that can defend the effectiveness of abstinence-only programs. Without such evidence, we cannot justify spending additional dollars on a program that's already well funded.

However, family planning and comprehensive sexuality education programs have clearly shown their effectiveness and ability to help curb teen pregnancy.

Let's protect our Nation's future by providing teens with the educational tools they need to be responsible.

I urge my colleagues to vote against the Istook amendment.

Mr. NADLER. Mr. Chairman, I rise to oppose the Istook amendment calling for a \$33 million increase in abstinence-only education.

First, everyone should understand one thing—this program is already receiving a 100 percent increase in its funding over last year. That is without the Istook amendment.

To put that in perspective—the President's number one priority during his campaign (besides tax cuts) was education—and that receives a 17 percent increase.

So, make no mistake about it, the Congress is already spending large sums on the abstinence-only program, and we won't know the effectiveness and results of the program until the congressionally mandated report comes due in 2005.

What we do know is that publicly funded family planning has a significant effect on teen pregnancy. Each year, family planning services prevent an estimated 386,000 teenagers from becoming pregnant.

Title X funding plays a critical role in the lives of teens across America—in preventing unwanted pregnancy and in providing needed services to young people. Through title X teens receive gynecological exams, screening for breast and cervical cancer, STD treatment, HIV testing, contraceptive care, and counseling.

These services are desperately needed since we know that more than 750,000 teenagers become pregnant each year, and 80 percent of those pregnancies are unintended. We know that nearly 4 million teenagers acquire a sexually transmitted disease by age 24; and that an average of two young people are infected with HIV every hour of every day.

It takes a comprehensive approach to address these problems and that is why more than 120 national organizations support comprehensive sex education including: American Academy of Pediatrics, American College of Obstetricians and Gynecologists, American Medical Association, American Public Health Association, National Education Association, National Medical Association, National School Boards Association, and Society for Adolescent Medicine.

Americans overwhelmingly support sex education—more than 8 in 10 Americans favor comprehensive sex education that includes information about contraception.

I urge my colleagues to heed their call and to continue to push for comprehensive education. This is not the time to increase funding even more than we already have for an untested program that is so limited in scope.

I urge my colleagues to reject the Istook amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. ISTOOK. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK) will be postponed.

The point of no quorum is considered withdrawn.

Mr. REGULA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair,

Mr. COMBEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

□ 1915

#### GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 68; and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Florida?

There was no objection.

#### FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2002

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution (H.J. Res. 68) making further continuing appropriations for the fiscal year 2002, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?